



SKAMANIA COUNTY PLANNING COMMISSION

AGENDA

Tuesday, April 20, 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 April 6, 2021 Planning Commission Meeting.
- b. PUBLIC HEARING on proposed text amendments to Title 21 (Zoning) adopting regulations for alternative energy facilities, including small-scale accessory wind and solar facilities.
- c. Workshop to discuss recreational facilities.

5. PLANNING COMMISSION BUSINESS

- a. Discuss adding public comment for non-public comment items to the Planning Commission agenda.

6. ADJOURN

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

MINUTES

Tuesday, April 6, 2021, 6:15 PM

REMOTE PARTICIPATION BY ZOOM MEETING TELEPHONE AND VIDEO CONFERENCE

1. CALL TO ORDER

Cyndi Soliz called the meeting to order at 6:15 PM.

2. PLEDGE OF ALLEGIANCE

Cyndi Soliz led the Pledge of Allegiance.

3. ROLL CALL

Planning Commissioners Present: Ken Bajema (arrived after roll call), Anita Gahimer Crow, Sue Davis, John Prescott, Cyndi Soliz

Staff Present: Mike Beck, Andrew Lembrick, Alan Peters

4. AGENDA ITEMS

- a. Approval of minutes from the March 16, 2021 Planning Commission Meeting.

Sue Davis moved to approve the minutes of the March 16, 2021 Planning Commission Meeting. John Prescott seconded the motion. Motion passed 4-0.

- b. Recommendation of finding of adequacy to complete Shoreline Master Program periodic review.

Alan Peters provided an overview of the shoreline periodic review process and stated that the County received an initial determination of consistency from Ecology. Staff recommended the Planning Commission forward a recommendation to the Board of County Commissioners to conclude the review by adopting findings of adequacy.

Anita Gahimer Crowe made a motion to recommend to the Board of County Commissioners that they adopt findings of adequacy for the shoreline master program periodic review in Resolution 2021-09.

At this point, Andrew Lembrick stated Mary Repar had expressed desire to make comment. Cyndi Soliz allowed Ms. Repar to make comment unrelated to the shoreline master program.



SKAMANIA COUNTY PLANNING COMMISSION

Sue Davis seconded the motion to recommend that the Board of County Commissioners adopt the findings of adequacy in Resolution 2021-09. The motion passed 5-0.

c. Workshop to discuss recreational facilities.

Alan Peters presented draft definitions for six types of recreational facilities. The Planning Commission members each provided feedback on the definitions which staff agreed to incorporate before the next meeting. Planning Commissioners felt it important to distinguish commercial recreational facilities that would be regulated by the zoning code from private family recreational activities that should not be regulated by the code.

Mr. Peters discussed two implementation options with the Planning Commission. Cyndi Soliz suggested that staff work on developing use-specific standards first. The Planning Commission agreed with this direction and felt that the two options suggested were not mutually exclusive. Some recreational issues could be addressed by specific standards, but some might be addressed simply by requesting that the applicants provide additional information at the time of application. Staff agreed to prepare a draft of standards and a purpose statement prior to the next meeting.

The Planning Commission was supportive of addressing this topic and directed staff to prepare definitions for new land use terms related to recreation facilities for discussion at the next meeting.

Andrew Lembrick stated Mary Repar had expressed desire to make comment. Cyndi Soliz allowed Ms. Repar to make comment on this item.

5. PLANNING COMMISSION BUSINESS

None.

6. ADJOURN

Cyndi Soliz adjourned the meeting at 7:19 PM.



Skamania County

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Building/Fire Marshal • Environmental Health • Planning

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STAFF REPORT

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

REPORT DATE: April 14, 2021
HEARING DATE: April 20, 2021
PROPOSAL: Accessory Alternative Energy Facilities

Background and Review Process

The Planning Commission reinitiated zoning text amendments to adopt provisions for alternative energy facilities in the zoning code at its March 2, 2021 meeting. The Planning Commission had prepared draft regulations for these facilities and recommended adoption on September 3, 2013, as part of a suite of other amendments to the county's zoning code. The Planning Commission's recommendation included provisions for rooftop and small-scale solar and wind energy facilities, as well as definitions for several related terms. At that time, the Board of County Commissioners requested changes to the proposal, but project was instead placed on hold.

After the Planning Commission discussed the 2013 draft regulations at its March 2, 2021 meeting, County staff prepared a revised draft for the Planning Commission's review at the March 16, 2021 meeting where additional feedback was provided by the Planning Commission. The current proposal has been prepared with input from the Planning Commission and was also informed by staff's review of ordinances from other jurisdictions around the country. The revised draft has been reduced to about one-third the length of the original draft while maintaining many of the objectives of the original proposal.

A SEPA Determination of Non-significance for the proposed amendments was issued on October 16, 2013. Staff has determined that the current proposal does not require additional SEPA review.

The proposal is scheduled for a public hearing on April 20, 2021. Notice of this hearing was published in the Skamania County Pioneer on April 7, 2021, 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 would create a new section in the Zoning Code's supplementary development and use standards. The proposal would provide for the development of small-scale accessory alternative energy facilities that generate energy for on-site consumption. The systems regulated under the proposal include solar and wind energy systems, among others, that serve uses on the same lot as which they are located. The proposal does not apply to utility scale or commercial energy production.

Definitions

The proposal would adopt definitions for the following terms:

- Accessory Solar Energy Facility, Building-Mounted
- Accessory Solar Energy Facility, Freestanding
- Accessory Wind Energy Facility, Building-Mounted
- Accessory Wind Energy Facility, Freestanding
- Accessory Alternative Energy Facility

These definitions would replace the terms and definitions that were adopted as part of Ordinance 2014-02 for "rooftop solar energy facility", "rooftop wind energy facility", "small-scale solar energy facilities", and "small-scale wind energy facilities".

The revised definitions are simplified, but also allow for additional flexibility in how these systems may be used. For example, the existing definitions for "rooftop solar energy facility" may be interpreted to limit the installation of solar panels onto building rooftops. The revised definition would allow for other types of building-mounted installations, such as window awnings. Additionally, the existing definition could be interpreted to limit the use of solar generated energy to the building on which the system is located. For example, under the existing definition, electricity generated from solar panels located on a detached garage would need to be used within the garage, but could not be used for a dwelling or other uses on the same property. The revised definition would not include any such restrictions.

Output to grid

Alternative energy systems sometimes produce more energy than is needed to meet the energy demands of a property. This excess energy can be stored onsite in batteries, output to the utility grid for net-metering, or less-often, wasted. The proposal would allow this excess energy to be delivered to the utility grid if the owner has coordinated with and met all requirements of the grid operator.

Review requirements

Under the proposal, almost all systems would be allowed outright as long as they comply with the proposed standards. Only freestanding wind facilities in excess of the 35 ft. building height limitation would require a conditional use permit.

All facilities would require building and electrical permits from the Skamania County Building Division and the Washington Department of Labor and Industries.

Development standards

The proposal establishes standards for solar and wind energy systems. These standards are intended to provide some flexibility for the development of these systems, while mitigating potential impacts to adjacent property owners.

Development standards for solar facilities

- Building-mounted systems may extend up to 5 ft. above the standard height limitation. This would allow flexibility in the placement and orientation of solar collectors in order to maximize energy production. It would also allow solar systems to be added to existing buildings that are already at the maximum allowable building height of 35 ft.
- Freestanding facilities would be required to comply with the existing setbacks for accessory structures and would be limited to a maximum height of 20 ft.
- Facilities would be required to avoid glare, reflection, or hazards onto adjacent properties and roadways.

Development standards for wind facilities

- Building-mounted systems may extend up to 15 ft. above the standard height limitation. This would allow flexibility in the placement and orientation of wind turbines in order to maximize energy production. It would also allow turbines to be added to existing buildings that are already at the maximum allowable building height of 35 ft.
- Freestanding facilities would be required to be sited and designed to minimize noise and visual impacts to the surroundings. This requirement is supported by the other proposed setback, height, and noise standards.
- The maximum allowable heights are 80 ft. for parcels below 5 acres, and 95 ft. for parcels above 5 acres. However, any facilities in excess of the 35 ft. height limit would require approval of a conditional use permit.
- The required setback is equal to 1.5 times the height of the facility. This setback is intended to protect life and property in the event that a facility collapses.
- Facilities would be limited to noise levels of 55 dBA (roughly equivalent to a household refrigerator) when measured at the property line. This restriction would not apply to agricultural uses or uses in commercial or industrial zones.

Abandonment

The revision includes a requirement that inoperable systems be removed or repaired within one year of becoming inoperable.

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 proposal was first initiated by the Planning Commission in 2013 and then reinitiated again by the Planning Commission in March 2021. The revised text amendments were prepared by Planning Staff with direction from the Planning Commission. The Planning Commission directed Planning Staff to schedule a hearing on the proposal at its March 16, 2021 meeting. The Planning Commission will hold a public hearing and make a recommendation to the Board of County Commissioners.

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 April 20, 2021. Notice of this hearing was published in the Skamania County Pioneer on April 7, 2021, 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 21, adopting provisions for accessory alternative energy facilities.

Attachments

Draft Text Amendments – Accessory Alternative Energy Facilities
Draft Motion

21.70.200 **ACCESSORY ALTERNATIVE ENERGY FACILITIES**

1 A. It is the purpose of this section to promote the safe, effective, and efficient use of small-scale
2 accessory alternative energy facilities, while setting practical guidelines for such implementation
3 that are respectful of the neighborhood context within which such systems may occur. These
4 facilities include, but are not limited to, solar and wind energy systems. This section does not
5 apply to or authorize utility scale or commercial alternative energy systems.
6

7 B. Energy produced by accessory alternative energy facilities is intended to be utilized on site;
8 however, excess energy output may be delivered to the utility grid if the owner has coordinated
9 with and met all requirements of the grid operator.
10

11 C. Unless otherwise noted in this section, accessory alternative energy facilities are considered an
12 accessory use related to the primary use of the property and shall be allowable in all zoning
13 classifications. Compliance with this section shall not remove an applicant’s obligation to comply
14 in all respects with the applicable provisions of any other federal, state, local law, or regulation,
15 or relieve any person of the requirement for the safe and proper installation and operation of all
16 equipment.
17

18 D. **ACCESSORY SOLAR ENERGY FACILITIES**

19 1. **BUILDING-MOUNTED SOLAR ENERGY FACILITIES**

20 i. Height: May extend up to 5 ft. above the standard height limitation.

21 2. **FREESTANDING SOLAR ENERGY FACILITIES**

22 i. Setbacks: Shall comply with the setbacks for accessory structures.

23 ii. Height: Shall not exceed 20 ft.

24 3. Facilities shall be designed and located to avoid, to the extent possible, glare or reflection
25 onto adjacent properties, businesses, residential homes, and adjacent roadways and shall
26 not interfere with traffic or create a safety hazard. Where appropriate, impacts may be
27 mitigated with plantings or other screening methods.
28

29 E. **ACCESSORY WIND ENERGY FACILITIES**

30 1. **BUILDING-MOUNTED WIND ENERGY FACILITIES**

31 i. Height: May extend up to 15 ft. above the standard height limitation.

32 2. **FREESTANDING WIND ENERGY FACILITIES**

33 i. Facilities shall be sited and designed to minimize noise and visual impacts to the
34 surrounding community.

35 ii. Perch deterrents shall be placed on all surfaces where birds may be attracted and
36 struck by a moving component on the tower, such as by the sweep of a wind
37 turbine blade.

38 iii. Height:

39 1. For parcels 5 acres or less in area, the facility height shall be limited to
40 80 ft., measured from the ground to the highest point of the blade.

41 2. For parcels larger than 5 acres in area, the facility height shall be limited
42 to 95 ft., measured from the ground to the highest point of the blade.

43 3. Minimum blade clearance shall be 15 ft. ~~above the ground located below~~
44 ~~the lowest point on the blade from the ground and other obstacles.~~

45 iv. Setbacks: The facility tower shall be no closer to the property line than 1.5 times
46 the total height of the facility.

47 v. Review Requirements: Freestanding wind energy facilities taller than 35 ft. shall
48 be reviewed through the conditional use process.

- 49 3. Except for wind energy systems accessory to agricultural uses, forestry uses, or systems
50 located in commercial or industrial zones, no wind energy system shall exceed 55 dBA
51 when measured at the property line.
52 F. Any alternative energy facility which becomes inoperable shall, at the owner's expense, be made
53 operational or shall be removed from the property within one year of the date the system became
54 inoperable.

55
56
57 **REVISED DEFINITIONS IN SECTION 21.08**

58
59 Accessory Solar Energy Facility, Building-Mounted means a solar energy system that is affixed to or an
60 integral part of a principal or accessory building, including but not limited to photovoltaic or hot water
61 solar energy systems which are contained within roofing materials, windows, skylights, and awnings.

62
63 Accessory Solar Energy Facility, Freestanding means a solar energy system with a supporting framework
64 that is placed on, or anchored in, the ground and that is independent of any building or other structure.

65
66 Accessory Wind Energy Facility, Building-Mounted means a wind energy system that is mounted on a
67 principal or accessory building.

68
69 Accessory Wind Energy Facility, Freestanding means a wind energy system supported by a pole or tower
70 and is independent of any building or other structure.

71
72 Accessory Alternative Energy Facility means a small-scale energy system that provides energy to the
73 principal use or uses on the property on which it is located. These facilities include, but are not limited to,
74 solar and wind energy systems.



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SKAMANIA COUNTY PLANNING COMMISSION
MOTION TO RECOMMEND APPROVAL OF
AMENDMENTS TO TITLE 21 RELATED TO
ACCESSORY ALTERNATIVE ENERGY FACILITIES

The Skamania County Planning Commission conducted a public hearing to consider proposed text amendments to Title 21 related to accessory alternative energy facilities on April 20, 2021.

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. The Planning Commission initiated the proposed zoning code amendments to provide for the development of accessory alternative energy facilities.
- C. The proposal promotes the safe, effective, and efficient use of small-scale accessory alternative energy facilities, while setting practical guidelines for such implementation that are respectful of the neighborhood context within which such systems may occur.
- D. The proposed amendments are consistent with the County's Comprehensive Plan.
- E. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its April 20, 2021 meeting.

CONCLUSIONS

Based on public comment and staff analysis, the proposed text amending Title 21 will promote the development of accessory alternative energy facilities 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
Cyndi Soliz, Chair	_____	_____
Sue Davis, Vice Chair	_____	_____
Ken Bajema	_____	_____
Anita Gahimer Crow	_____	_____
Mat Joy	_____	_____
Adam King	_____	_____
John Prescott	_____	_____



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MEMORANDUM

TO: Skamania County Planning Commission
FROM: Planning Staff
DATE: April 20, 2021
RE: Recreation Facilities

BACKGROUND

Recreation is an important industry in Skamania County. The comprehensive plan states that "Skamania County is a focal point of year-round recreational opportunities" which include "boating, fishing, hunting, camping, hiking, snowmobiling, cross-country skiing, wildflower hiking tours, hot mineral springs day spas, golf courses, windsurfing, and kite boarding." The plan further states that "Skamania County should strive to improve recreational opportunities throughout the County including enhancing public access to the waterways."

Planning staff has held two workshops with the Planning Commission to discuss how the zoning code can better support the Comprehensive Plan's vision for recreation. On March 16, 2021, staff discussed the existing regulations and areas of concern where these rules are ambiguous or appear to limit new recreation development. As a result, the Planning Commission directed staff to prepare definitions for six types of recreational facilities: indoor recreational facility, outdoor recreational facility, campground, group camp, rural event center, and retreat center. These definitions were discussed at the April 6, 2021 Planning Commission meeting where staff was provided additional feedback. The Planning Commission directed staff to revise the definitions and begin preparing development standards for recreational facilities.

The purpose of this workshop is for the Planning Commission to review and provide feedback on the draft development standards. Once these definitions and standards are established, staff and the Planning Commission can move on to determining how to incorporate these uses into the allowable use lists in each zoning designation.

DRAFT LAND USE DEFINITIONS

Revised land use definitions are included below with changes made since the last meeting identified in redline.

Facility

A place, building, or amenity provided for a particular purpose.

Outdoor recreational facility

A facility provided for outdoor recreation encompassing a varying range of activities pursued for purposes of ~~of~~ as physical exercise, general wellbeing, spiritual renewal, and education. Examples include, but are not limited to, camping, hiking, skiing, fishing, hunting, shooting, backpacking, picnicking, wildlife and botanical viewing, horseback riding, swimming, rock climbing, cycling, windsurfing, rafting, sailing, and outdoor team sports such as soccer, baseball, tennis, and basketball.

Indoor recreational facility

A facility provided for the purpose of ~~indoor conduct~~ conducting, viewing, or ~~participation~~ participating in indoor recreational activities. This term includes, but is not limited to, ~~indoor~~ archery or shooting ranges, driving ranges, volleyball courts, bowling alleys, ice or skating rinks, billiard halls, video game centers, soccer fields, tennis courts, basketball courts, and fitness centers.

Campground

A facility with two or more developed campsites for temporary occupancy of tents, trailers, campers, cabins, recreational vehicles, or similar devices, but not including recreational vehicle or mobile home parks. Campgrounds may include group campsites where two or more developed campsites are ~~intended for use by a single party~~ available for group use. The use of private property for incidental recreational camping by ~~a single household property owners and their guests~~ does not constitute a campground facility.

Group camp

A camp facility operated by an ~~organization entity~~ such as ~~scoutan outdoor~~, youth, or ~~church~~ faith-based group which may offers a variety of active and passive recreational activities. Group camps may provide overnight accommodation facilities, such as cabins and designated campsites, and other amenities for site users, such as meeting and assembly spaces, food services, recreational facilities and equipment and medical/health stations. ~~Group camps do not include establishments that have as a primary purpose the treatment of addictions, correctional or disciplinary training, or housing for homeless persons.~~

Rural event center

A facility that provides a venue ~~for private parties to host social or professional gatherings and events such as~~ corporate retreats, family reunions, meetings, ceremonies, weddings, parties, and receptions. These facilities may consist of indoor or outdoor gathering spaces and are typically located to take advantage of special rural characteristics such as natural features, historic structures and landscapes, and scenic views.

Retreat center

A facility, which may include a lodge, series of buildings, or accessory facilities with a primary focus on relaxation, rehabilitation, religion, recreation activities, relaxation/spa uses, conferences, meeting, and event facilities. Access to and use of the retreat center may be ~~are~~ provided with or without compensation. Retreat centers may include temporary lodging and/or campsite facilities.

DRAFT DEVELOPMENT STANDARDS

With direction from the Planning Commission, Planning staff developed draft recreational facility development standards. The proposal includes a purpose statement, an applicability statement, standards for all recreational facilities, and then additional use-specific standards for campgrounds, rural event centers, retreat centers, and group camps. If adopted, these standards would be placed in Title 21's supplementary development and use standards and would apply to all zone classifications where recreational facilities or any individual type of recreational facility would be allowed.

- A. It is the purpose of this section to promote the development of recreational facilities related to the county's abundant recreational, scenic, and natural amenities in a manner that is respectful of adjoining land uses and consistent with the Comprehensive Plan.*

The purpose of these standards is to promote the development of recreational facilities. Currently, most new recreational facilities would require conditional use approval by the hearing examiner. In these hearings, the burden is on the applicant to demonstrate that their proposal satisfies the current definition of "recreational facility" and that their proposal satisfies the conditional use permit criteria in SCC 21.16.080:

1. In determining whether the use is compatible with the area, the proposed use shall:
 - a. Be either compatible with other uses in the surrounding area or be no more incompatible than are other outright permitted uses in the applicable zoning district;
 - b. Not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with other permitted uses in the applicable zoning district;
 - c. Not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with other permitted uses in the applicable zoning district;
 - d. Be supported by adequate service facilities and would not adversely affect public services to the surrounding area;
 - e. Not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district;
 - f. Not be in conflict with the goals and policies expressed in the current version of the county's comprehensive plan.

2. Criteria for determining conditions to be imposed on conditional uses shall be based on the health, safety and general welfare of the public, any environmental standards in force in Skamania County, and other applicable provisions set forth in this title and shall be subject to conditions which may include, but are not limited to, the following:
 - a. Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
 - b. Establishing a special yard, open space, lot area or lot dimensions.
 - c. Limiting the height, size, or location of a building or other structure.
 - d. Designating the size, number, location, and nature of vehicle access points.
 - e. Increasing the amount of street dedication, roadway width or improvements within

the street right-of-way.

f. Limiting or otherwise designating the number, size, location, height and lighting of signs.

g. Limiting the location and intensity of outdoor lighting and requiring it to be shielded.

h. Requiring berming, screening, landscaping or another facility to protect adjacent or nearby properties and designating standards for its installation and maintenance.

i. Designating the size, height, location and materials for a fence.

j. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural, historic, or cultural resources.

These minimum standards would assist the applicant with meeting the conditional use requirements, but are not so prescriptive as to eliminate the flexibility allowed by the conditional use process. With these standards and definitions in place, applicants could focus on making their use compatible with the surrounding area, rather than on designing their use to fit within the narrow definition for recreational facilities in today's code.

B. The requirements of this section apply to commercial and public recreational facilities. This section does not apply to the uncompensated use of land by a private property owner and their guests for their own personal enjoyment.

Many landowners within the county engage in recreational activity on their own private property. This section establishes that these types of uses are not regulated under this section or considered recreational facilities.

C. Standards for all recreational facilities.

1. Adequate on-site parking shall be provided.

2. Any lighting shall be fully shield and not emit light beyond the property boundaries.

3. Adequate sanitation facilities shall be provided for all uses except very low intensity uses.

4. Uses shall comply with the noise regulations in Chapter 8.22.

5. Uses shall comply with all environmental health requirements, including those related to water, septic, food service, and pools.

6. A caretaker residence may be allowed upon a demonstrated need.

This section includes basic requirements that would apply to all types of recreation facilities. All facilities would be required to provide adequate on-site parking, which would be determined by the applicant and the county based on the proposed use. While lighting may be rarely used in outdoor recreational facilities in the county currently, the potential for light pollution is high if lighting is installed to support sports fields or other outdoor facilities. The proposed standards only apply if lighting is desired are easily implemented.

A summary of existing environmental health requirements that might apply to recreational facilities is included as an attachment to this staff report. This section does not establish any new noise or environmental health requirements, but does require adherence to existing regulations. Inclusion of these references will make applicants aware of these requirements. Restroom facilities would be required for most, but not all recreational facilities. Very low intensity uses such as scenic viewpoints would not require restrooms. Restrooms could include

portable toilets, vault toilets, or plumbed bathroom facilities.

Finally, this section allows for the establishment of a caretaker residence when the applicant demonstrates a need for this use. This provision would not restrict the development of single-family dwellings in zones where this use is allowed outright. It would allow for a caretaker dwelling in zones where dwellings are not allowed (such as Commercial Resource Lands zones) or are restricted (such as Forest/Agriculture zones).

D. Standards for campgrounds

- 1. A minimum of five acres is required.*
- 2. All campsites and facilities shall be set back 100 ft. from neighboring property lines. This setback may be reduced to 50 ft. with adequate visual screening.*
- 3. Campsite density shall not exceed ten units per acre. Cabins and yurts may make up no more than 50% of the total number of campsites.*
- 4. Occupancy shall be limited to 14 days, except for camp hosts.*

This section would apply only to campgrounds. A minimum of five acres would be required to ensure adequate space for facilities and buffers between adjacent land uses. Facilities would be required to be set back 100 ft from neighboring property lines, though this buffer could be reduced by 50% if visual screening is in place. This screening could consist of fencing or vegetation.

Campsite density would be limited to ten units per acre, the same as required in the National Scenic Area. With the 5-acre minimum parcel size, all campsites would be allowed at least 50 spots. Up to half of all sites could include permanent camping facilities such as cabins or yurts.

E. Standards for rural event centers

- 1. A minimum of five acres is required.*
- 2. All event areas shall be set back 100 ft. from neighboring property lines.*
- 3. Noise originating from the site shall be buffered to the maximum extent possible. No amplified noise is allowed past 10 PM.*
- 4. Lodging facilities including cabins, yurts, or campsites are allowed as an accessory use to provide lodging for event attendees. Lodging facilities may be made available to the general public on days when events are not taking place if this use is requested and approved with a conditional use application.*
- 5. Conditional use applications for rural event centers shall include proposed hours of operation, number of annual events, and maximum event occupancy.*
- 6. These standards do not apply to use of a residential property by a property owner to host personal events, including weddings, reunions, and celebratory parties for family and friends, provided they are not collecting a fee or compensation for such an event.*

This section would apply only to rural event centers. This section includes a paragraph to clarify that these standards would not apply to private use of property to host personal events for family or friends.

A minimum of five acres would be required to ensure adequate space for facilities and buffers between adjacent land uses. Facilities would be required to be set back 100 ft from neighboring

property lines to ensure visual and sound buffering. Noise can be a major concern for neighbors near these types of facilities. No amplified noise would be allowed past 10 PM.

Applications for conditional uses would also require information about proposed hours of operation, the number of annual events, and maximum event occupancy. This information will be helpful in determining whether an event center satisfies the conditional use criteria and is compatible with surrounding uses. By not setting county-wide maximums for occupancy or number events, these can be determined on a site-specific basis. Higher or lower event frequency and occupancy could be appropriate on different sites depending on the unique facility and area characteristics.

Finally, lodging facilities would be allowable to support the hosting of events. Some rural event centers are dependent upon lodging due to the fact that many customers and their guests are not from the local area. These new standards would allow for cabins, yurts, or campsites to be developed as an accessory use and allow for their use by the general public on days when events are not taking place.

F. Standards for retreat centers and group camps

- 1. A minimum of ten acres is required.*
- 2. All facilities shall be set back 100 ft. from neighboring property lines. This setback may be reduced to 50 ft. with adequate visual screening.*
- 3. Lodging facilities may include individual guest rooms, cabins, yurts, campsites, or similar facilities, but shall not include kitchens. Retreat center lodging facilities may be made available to the general public if this use is requested and approved with a conditional use application.*
- 4. Group camp occupancy shall be limited to 14 days, except for camp hosts.*

This section would apply only to retreat centers and group camps. A minimum of ten acres would be required to accommodate these uses and a 100 ft. setback would be required, though this could be reduced to 50 ft. with screening.

Both uses would allow for lodging accommodations. While both uses would be allowed a range of lodging types, from campsites to cabins and guest rooms, group camps would typically include more basic accommodations. Retreat centers are more likely to include cabins or guest rooms that could be rented out to the general public if this use is requested and approved with a conditional use application.

Like campgrounds, group camp occupancy would be limited to 14-days. Camp hosts and staff would not be subject to this occupancy restriction. This restriction would not apply to retreat centers, as this use could cover a variety of situations that might warrant longer-term stays.

NEXT STEPS

Staff requests that the Planning Commission provide feedback and recommendations on the draft development standards for recreational facilities. The standards and definitions together can help inform in what zones each type of recreational facility might be appropriate.

At a minimum, staff could consolidate the various terms used in the zoning code that refer to recreational facilities and replace them with the newly adopted terms and definitions without changing any of the land use allowances in any zone. Where "recreation facilities" are allowable

or conditional uses, this term could be interpreted to allow all types of recreation facilities, subject to compliance with adopted standards.

Any changes will need to be consistent with any comprehensive plan goals or policies. Staff has reviewed the Comprehensive Plan, West End Subarea Plan, Swift Subarea Plan, and Carson Subarea Plans to determine any policies that might restrict the placement of recreational facilities. In most land use designations, there are no specific recreational policies that would dictate what might be allowed, but the following is a summary of specific mentions of recreation development that will need to be adhered to.

Carson

1. Rural Estate - Low-intensity recreational uses, such as trails, picnic areas and campgrounds should be allowed
2. Business Center – Campgrounds not allowed

West End

1. Rural Lands 2 - Existing legally established scout camps, church camps, and/or youth camps may continue to operate and may apply to expand by conditional use permit
2. Rural Lands 5 - Scout camps, church camps, and/or youth camps should be permitted as conditional uses
3. Forest Lands 20 - Recreation facilities should be listed as conditional uses
4. Commercial Resource Lands 40 - Recreation facilities should be listed as conditional uses

Swift

1. Commercial Resource Lands 40 - Recreation facilities should be listed as conditional uses
2. Forest Lands 20 - Recreation facilities should be listed as conditional uses
3. Recreational – Recreational facilities should be allowed
4. Mountain Recreation - Scout camps, church camps, and/or youth camps should be permitted as conditional uses
5. Mountain Recreation - New campgrounds, and camping cabin facilities should be listed as a conditional use permit
6. Mountain Recreation – “purpose is to provide areas of recreational uses at very low density”

ATTACHMENTS

- Draft land use terms and definitions
- Draft recreational facility standards
- Memo from Nikki Rohan regarding environmental health requirements

1 **DRAFT LAND USE DEFINITIONS**

2
3 Facility

4 A place, building, or amenity provided for a particular purpose.

5
6 Outdoor recreational facility

7 A facility provided for outdoor recreation encompassing a varying range of activities pursued for
8 purposes ~~of such as~~ physical exercise, general wellbeing, spiritual renewal, and education. Examples
9 include, but are not limited to, camping, hiking, skiing, fishing, hunting, shooting, backpacking,
10 picnicking, wildlife and botanical viewing, horseback riding, swimming, rock climbing, cycling,
11 windsurfing, rafting, sailing, and outdoor team sports such as soccer, baseball, tennis, and basketball.

12
13 Indoor recreational facility

14 A facility provided for the purpose of ~~indoor conduct~~conducting, viewing, or ~~participation~~participating in
15 indoor recreational activities. This term includes, but is not limited to, ~~indoor~~ archery or shooting ranges,
16 driving ranges, volleyball courts, bowling alleys, ice or skating rinks, billiard halls, video game centers,
17 soccer fields, tennis courts, basketball courts, and fitness centers.

18
19 Campground

20 A facility with two or more developed campsites for temporary occupancy of tents, trailers, campers,
21 cabins, recreational vehicles, or similar devices, but not including recreational vehicle or mobile home
22 parks. Campgrounds may include group campsites where two or more developed campsites are ~~intended~~
23 for use by a single party available for group use. The use of private property for incidental recreational
24 camping by ~~a single household~~property owners and their guests does not constitute a campground facility.

25
26 Group camp

27 A camp facility operated by an ~~organization~~entity such as ~~scout~~an outdoor, youth, or ~~church~~faith-based
28 group which may offers a variety of active and passive recreational activities. Group camps may provide
29 overnight accommodation facilities, such as cabins and designated campsites, and other amenities for site
30 users, such as meeting and assembly spaces, food services, recreational facilities and equipment and
31 medical/health stations. ~~Group camps do not include establishments that have as a primary purpose the~~
32 ~~treatment of addictions, correctional or disciplinary training, or housing for homeless persons.~~

33
34 Rural event center

35 A facility that provides a venue ~~for private parties~~ to host social or professional gatherings and events
36 such as corporate retreats, family reunions, meetings, ceremonies, weddings, parties, and receptions.
37 These facilities may consist of indoor or outdoor gathering spaces and are typically located to take
38 advantage of special rural characteristics such as natural features, historic structures and landscapes, and
39 scenic views.

40
41 Retreat center

42 A facility, which may include a lodge, series of buildings, or accessory facilities with a primary focus on
43 relaxation, rehabilitation, religion, recreation activities, relaxation/spa uses, conferences, meeting, and
44 event facilities. Access to and use of the retreat center may be ~~are~~ provided with or without compensation.
45 Retreat centers may include temporary lodging and/or campsite facilities.

46

21.70.200 **RECREATION FACILITIES**

- 1
- 2
- 3 A. It is the purpose of this section to promote the development of recreational facilities related to the
- 4 county's abundant recreational, scenic, and natural amenities in a manner that is respectful of
- 5 adjoining land uses and consistent with the Comprehensive Plan.
- 6
- 7 B. The requirements of this section apply to commercial and public recreational facilities. This
- 8 section does not apply to the uncompensated use of land by a private property owner and their
- 9 guests for their own personal enjoyment.
- 10
- 11 C. Standards for all recreational facilities.
- 12 1. Adequate on-site parking shall be provided.
- 13 2. Any lighting shall be fully shield and not emit light beyond the property boundaries.
- 14 3. Adequate sanitation facilities shall be provided for all uses except very low intensity uses.
- 15 4. Uses shall comply with the noise regulations in Chapter 8.22.
- 16 5. Uses shall comply with all environmental health requirements, including those related to
- 17 water, septic, food service, and pools.
- 18 6. A caretaker residence may be allowed upon a demonstrated need.
- 19
- 20 D. Standards for campgrounds
- 21 1. A minimum of five acres is required.
- 22 2. All campsites and facilities shall be set back 100 ft. from neighboring property lines. This
- 23 setback may be reduced to 50 ft. with adequate visual screening.
- 24 3. Campsite density shall not exceed ten units per acre. Cabins and yurts may make up no
- 25 more than 50% of the total number of campsites.
- 26 4. Occupancy shall be limited to 14 days, except for camp hosts.
- 27
- 28 E. Standards for rural event centers
- 29 1. A minimum of five acres is required.
- 30 2. All event areas shall be set back 100 ft. from neighboring property lines.
- 31 3. Noise originating from the site shall be buffered to the maximum extent possible. No
- 32 amplified noise is allowed past 10 PM.
- 33 4. Lodging facilities including cabins, yurts, or campsites are allowed as an accessory use to
- 34 provide lodging for event attendees. Lodging facilities may be made available to the
- 35 general public on days when events are not taking place if this use is requested and
- 36 approved with a conditional use application.
- 37 5. Conditional use applications for rural event centers shall include proposed hours of
- 38 operation, number of annual events, and maximum event occupancy.
- 39 6. These standards do not apply to use of a residential property by a property owner to host
- 40 personal events, including weddings, reunions, and celebratory parties for family and
- 41 friends, provided they are not collecting a fee or compensation for such an event.
- 42
- 43 F. Standards for retreat centers and group camps
- 44 1. A minimum of ten acres is required.
- 45 2. All facilities shall be set back 100 ft. from neighboring property lines. This setback may
- 46 be reduced to 50 ft. with adequate visual screening.
- 47 3. Lodging facilities may include individual guest rooms, cabins, yurts, campsites, or
- 48 similar facilities, but shall not include kitchens. Retreat center lodging facilities may be
- 49 made available to the general public if this use is requested and approved with a
- 50 conditional use application.
- 51 4. Group camp occupancy shall be limited to 14 days, except for camp hosts.

April 7, 2021

To: Planning Division

From: Nikki Rohan, EHSII

RE: Environmental Health Requirements for Recreation Facilities

Health Department requirements for the six proposed categories of recreational facilities is described below. For the most part, the type of facility is less important than the occupancy and services provided, which ultimately will dictate what Environmental Health will require.

WATER

If a facility is not “dry”, meaning it is required to, or proposes to provide water, it will be required to connect to an existing, or create its own public water system. There are two types of public water systems: Group A and Group B. Both systems are regulated by the Washington State Department of Health (DOH) Office of Drinking Water. An applicant would apply for the water system approval through (DOH) and provide us with the final approval letter before we sign off on any project or building permits.

A Group B is defined as a water system that provides drinking water to fewer than fifteen service connections and: (a) fewer than 25 people per day; or (b) 25 or more people per day for fewer than 60-days per year, provided the system does not serve one thousand or more people for two or more consecutive days. Note there are some exemptions for “single service” connections, like a single restroom facility.

Anything that exceeds the definition of a Group B water system would be a Group A water system. Group A water systems typically cost upwards of \$20,000 to develop based on conversations with DOH staff. Anytime a licensed kitchen or pool is included in a project (regardless of size), a connection to a Group A system is required. There is an exemption to the public water rules for some single-connection uses, for example, a campground with one restroom building and no other access to water.

There might be instances where we allow a campground, group camp, or outdoor recreational facility to be dry (provide no water), and utilize vault toilets or portable toilets, like we see in the National Forest, but in general most private recreational facilities do provide water.

Existing examples: The Naked Falls Private Campground project is stuck in an impasse due to the water requirements. They are required to have a Group B water system to provide water to the proposed facilities and sites, however, their groundwater well exceeds the water quality standards (maximum contaminant level) for arsenic in drinking water and therefore DOH cannot approve it based on Group B rules. It is cost prohibitive for the applicant to create a Group A water system, but that would allow for arsenic treatment and potential approval through DOH.

SEPTIC

Septic would be required of all projects that provide potable water. Permitting is pretty straightforward, and unless it's a really large project (exceeds 3,500 gallons per day of wastewater) review would be local. The project would have to meet the minimum land area requirements of WAC 246-272A which specifies specific maximum volume of sewage per land area based on soil type.

Washington State rules do allow for water conserving on-site wastewater treatment systems (composting toilets, incinerating toilets, vault toilets, pit toilets, etc.) that meet specific use criteria. We would review and permit these uses locally as well. For sites that don't provide potable water, there are some options of providing public toilets.

Note: I am not sure there is a code that specifically states a facility must provide toilets, but in the interest of public health, the county would likely require toilets for any of the proposed recreational facilities.

Food

If any of the recreational facilities propose to have a kitchen (licensed food establishment) that will be used to provide food to guests, we would require it to be permitted. Permitting typically entails Plan Review prior to construction and then the county provides an operation license and annual inspections. If a facility proposes to use a licensed caterer or mobile units, or if the groups that use the facility provide their own food, they are not required to have a license. Most the existing recreational facilities have a kitchen that is licensed as a "community kitchen"

Water Recreation

Any pool or spa that is proposed (whether indoor or outdoor) as part of a recreational facility would be required to be permitted through DOH and locally. DOH provides the plan review to ensure the pool is designed and constructed to meet WA State codes and then the county provides an operational license with annual inspections. Unlike food, there is no instance, whether private or public, where a pool would be allowed without DOH approval and a local operating license. Open water (lakes, rivers) is currently not regulated, although some counties may have specific locally adopted rules for camps.

Example: The Girl Scout Camp has a licensed pool that we inspect annually. For each group that uses the facility, they are required to provide trained staff and meet the water recreational rules, but the camp (ownership) holds the license and does the daily maintenance and upkeep.