

PLANNING COMMISSION MINUTES

May 25, 2017

The Ephrata Planning Commission, Grant County, Washington met on May 25, 2017. The meeting was called to order in council chambers at 7:00 p.m. by Chairman Joe Dennis.

Members present: Chairman Joe Dennis, members, Jo Maedke, Don Guillemette, Tom Moncrief; David Spencer excused absence

Staff present: Ron Sell, Community Development Director; Anna Franz, City Attorney; Bill Cox, City Building Official; Stacy Hooper, Secretary; Bill Sangster, Public Works Director Excused Absence

Approval of Commission Minutes: Tom Moncrief motion to approve Minutes of May 11, 2017 Planning Commission Meeting, Don Guillemette seconds motion, motion carried.

Correspondence: One additional hand out that was not included in the original email, Ephrata Building Code Requirements for Vacation Rentals was prepared by Anna Franz and handed out by Ron Sell.

Additions and/or revisions to Published Agenda: No additions or revisions to Published agenda.

Public Present: Justin Kooy, Ephrata WA; Jeremy Block, Ephrata WA; Andrew Middleton, Ephrata WA; Patrick Canady, Ephrata WA; Harrison Boruff, Ephrata WA; Craig Jorgensen, Ephrata WA.

Joe Dennis asks for staff report; **Ron Sell**; this is carry over from last meeting, wording cleanup and a few changes as discussed in the last study session.

The significant changes start on page 74, some sections were taken from the Moses Lake Code and added to the Ephrata Municipal Code, specifically; local property representative section; solid waste collection standard section; informational sign requirement section; responsible person section; non transferability for the rental approval section; violation section; enforcement section and appeal section specific to vacation Rentals. Definitions have been cleaned up.

Page 16 under bed and breakfast homestay, maximum occupancy load should be changed from 10 guests to 10 occupants within the unit and 2 guests maximum per guest room with 2 guest rooms maximum within the structure. .

Bed and Breakfast Inn section removed, as recommended by Planning Commission at the last meeting; short term vacation rental reads the same.

Ron Sell turns discussion over to **Bill Cox** and **Anna Franz** to discuss the type of use and the building code requirements. **Anna Franz** talks about the hand out that she prepared, building code classification and definitions and the differences between the International Residential Code (IRC) and the International Building Code (IBC). Also discussed by **Anna Franz** State Code council interpretations and the classifications of renting out an entire house, a room or an accessory dwelling. **Bill Cox** discusses the different interpretations throughout the different residential zones and occupancy types. **Bill Cox** also discusses the IBC and Code and Commentary in relation to transient housing, zones and life safety issues and precautions.

Anna Franz discusses how larger tourist destination communities interpret the code more loosely than what smaller communities will.

Joe Dennis asks if the cost of installing the fire suppression system could make or break the Bed and Breakfast industry. **Bill Cox** explains that the code allows for a lesser fire suppression system than a hotel/motel situation. **Discussion Ensues.**

Justin Kooy points out that suppressions systems require certain pressure in the water lines to work effectively. **Justin Kooy** checked the pressure at his dwelling, the pressure is not sufficient to run the correct suppression system required.

Craig Jorgensen explains that he has had the same pressure issues with his shower and the neighboring parks sprinklers. **Discussion Ensues**

Jo Maedke verifies that there are more than cost and installation issues with the fire suppression systems. **Discussion Ensues**

Craig Jorgensen is happy that the City and Planning Commission are looking into this, he is unsure why other Cities are ok without suppression systems and why the City of Ephrata is not. **Discussion Ensues**

Joe Dennis ask if a properly working smoke and carbon monoxide detector could be used in place of a fire suppression system. **Joe Dennis** also asks if these detectors provide enough notice to get out safely. **Discussion Ensues**

Joe Dennis suggests that a suppression system would be better served in a vacant building where there is a higher concern of property safety rather than life safety. **Discussion Ensues.**

Craig Jorgensen asks if in a single occupancy where one family is renting, could fire extinguishers placed on the walls be used in place of a suppression system? **Discussion Ensues.**

Don Guillemette asks **Justin Kooy** what his current insurance has to say about his current rental situation. **Justin Kooy** replies that his insurance agency looks at it like a typical home rental, and has required him to have landlord insurance. **Don Guillemette** asks if the insurance company asked **Justin Kooy** to do any upgrades or improvements to the home, **Justin Kooy** replies, No. **Don Guillemette** is curious as to what the insurance company would recommend in regards to the suppression system. **Jo Maedke** states that she has rental properties, that are rented by the month, and they are not required to put in suppression systems, however, they do provide smoke detectors and fire extinguishers. **Discussion Ensues.**

Bill Cox explains the importance of the suppression system versus providing fire extinguishers. **Discussion Ensues**

Bill Cox explains that in **Justin Kooy's** situation, this is a detached dwelling, this is one of the reasons a suppression system is required, however, there is a go-around. If a covered breeze way was added from one dwelling to the other, this would now be considered a homestay. **Discussion Ensues.**

Patrick Canady asks if the requirements are based on square footage. **Discussion Ensues.**

Justin Kooy states that staying in a rental for 29 days does not make a person more familiar with the exits. **Discussion Ensues.**

Justin Kooy questions on page 74 what is considered practical difficulties and who approves this? **Bill Cox** explains the IRC, for example, in data centers when a wet fire suppression system cannot be used, a dry suppression system can be installed in its place. **Discussion Ensues.**

Craig Jorgensen explains how when he stays at a rental he will point out to grandchildren how to exit and he looks for exits when staying in a rental. **Craig Jorgensen** asks why does he not have to put a sprinkler system in his home. **Bill Cox** explains that Washington State has over rode this code.

Joe Dennis does not want to see an unsafe situation, but would like to get to a point that is agreeable and affordable.

Patrick Canady lives near **Justin Kooy**, he would rather see transient housing rather than month to month renters, he sees how month to month renters and land lords treat the rental properties as opposed to how transient housing renters and owners treat properties. **Discussion Ensues.**

Justin Kooy questions the requirements of giving his contact information to all neighbors within 200 feet, and being available and on call 24/7 on page 74 and 75.

Joe Dennis asks **Ron Sell** the theory behind this requirement. **Discussion Ensues**, **Anna Franz** states this is a balance of residential use and transient commercial use within this residential zone. **Discussion Ensues.**

Justin Kooy asks for clarification on page 76 (D) **Discussion Ensues.**

Justin Kooy questions page 75 vii – Responsible Person age. **Anna Franz** explains that this is just a proposal that commission will take recommendations.

Justin Kooy recommends these issues be on a case to case basis. **Justin Kooy** states that these rules are preventing business owners from doing a business, these same rules and regulations should be imposed on long term rentals if they are being imposed on transient housing. **Discussion Ensues.**

Bill Cox feels that all three of **Justin Kooy** concerns could be amended. **Bill Cox** explains that case to case basis does not work, whatever is adopted should be for all instances.

Joe Dennis asks what are the next steps of Planning Commission. **Ron Sell** states that these topics need to be answered. **Joe Dennis** states he would like staff to come back with a proposal to offer relief on Fire Suppression; that the age limit should be the lowest we can go legally, for example, the age of 18. If you can vote at 18, you should be able to stay at a Bed and Breakfast at the age of 18. **Discussion Ensues.**

Tom Moncrief asks what does the City of Ephrata's insurance say about this topic. **Anna Franz** states as far as fire suppression requirements go back to the building code we as the City cannot modify code, but we can take a broader view of the code a broader interpretation of the code. Changing the code is up to the state agency. **Justin Kooy** states, he thought he heard **Bill Cox** say that if the state can modify and change the code then the local government can change code requirements. **Bill Cox** explains the state has amended the IRC to say that you do not have to sprinkle one and two family dwellings that are non-transient, the state has taken federal code and modified it, we cannot modify state or federal codes on a local level.

Jo Maedke asks for clarification, are we calling a single family residence, transient. Is it black and white, is there nothing we can do in this situation. **Bill Cox** explains in the IBC the R1 definition, is a little vague and the Code and Commentary need to be read for clarification. **Discussion Ensues.**

Ron Sell will request a written determination from the City insurance company to see where they stand on these issues.

Joe Dennis asks Planning Commission to come back with what they have and hopefully we can come to some kind of determination.

Craig Jorgensen asked for a copy of what **Bill Cox** was reading and referring to.

Bill Cox mentions that **Justin Kooy** brought up the 200 foot notification and the requirement of responding to a complaint within three attempts, **Bill Cox** would like to see some kind of a determination on these issues. **Joe Dennis** suggests maybe sending notification to adjacent properties. **Discussion Ensues.**

Jo Maedke would like to see the requirements for designated local contact person simplified. **Discussion Ensues**

Joe Dennis asks if **Ron Sell** can come up with recommendations for the next meeting. **Ron Sell** asks that commission sends their ideas to him.

Meeting adjourns at 8:22 pm.

Next Scheduled meeting June 22, 2017.



Joe Dennis, Planning Commission Chairman

Attest: 

Stacy Hooper, Secretary