

PLANNING COMMISSION MINUTES

June 22, 2017

The Ephrata Planning Commission, Grant County, Washington met on June 22, 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 and David Spencer

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

Approval of Commission Minutes: Joe Dennis entertains motion to approve Minutes of May 25, 2017 Planning Commission Meeting, Jo Maedke, so moved, Don Guillemette seconds motion, motion carried.

Correspondence: No additions to packets.

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

Joe Dennis asked each Planning Commission Member the following:

- 1) Have you had any contact, including through written or other media, with any interested parties to this matter? If "yes", please disclose the nature and substance of the contact. Each member replied "NO"
- 2) Do you have a financial, material, or personal interest in this matter? Each member replied "NO"
- 3) Can you render fair and impartial judgment, without undue or improper influence, over this matter? All members replied "YES"
- 4) Does any member of the Public or Commission have a specific objection to any member of the Commission hearing this matter? Each member replied "NO"

Public Hearing opens at 7:05 pm.

Joe Dennis asks Ron Sell for Staff Report:

Ron Sell shows a picture of the location for the plat, he points out the boundaries, size and zoning details. Ron Sell also shows a picture of the plat, and gives development plan history, details of the changes being made from original submittal and some of the additional conditions including easement along sewer line.

Joe Dennis asks for comments from Public – Dusty Jones prepared drawings, he is in attendance to support the project and to answer questions.

Joe Dennis asks Dusty Jones if he is representing the owner, Dusty Jones replies yes.

Joe Dennis asks Dusty Jones if they have any questions or concerns regarding any of the plat conditions.

Dave Spencer questions the cul-de-sac Radius. Ron Sell explains the radius needs to meet the current code.

Lars Carlson questions the survey stake behind lot 7, this stake has been covered up. **Lars Carlson** would like to know who will replace the stake. **Bill Cox** explains that before he does setback and footing inspections the stake will need to be re-established. **Lars Carlson** questions the use of the gate between lots 15-16. **Dusty Jones** explains this gate is for utilities or a walking path, the gate will be removable bollards.

Lars Carlson questions the park for this phase; in this phase there is going to be a fee in lieu of. Phase One there is going to be further discussion of the park area.

Mrs. Carlson is concerned with the vehicle traffic going through the neighborhood, **Dusty Jones** explains that as construction progresses the traffic issue will be addressed.

Lars Carlson asks if the dirt hill/pile is going to be removed, **Discussion Ensues**.

Discussion Ensues regarding 2nd Avenue Extension.

Joel Dennis asks for any other questions or comments from public or Planning Commission.

Joel Dennis makes a motion to approve, **Dave Spencer** moves to accept motion, **Tom Moncrief** 2nds motion, motion approved.

Public Hearing Closed at 7:15 pm.

Study Session opens:

Ron Sell explains that we will be moving on from where we left off. **Joe Dennis** asks if we are still waiting for the recommendation from the insurance company, **Ron Sell** answers yes.

Bill Cox summarizes where we left off at last meeting. **Bill Cox** gave definition of Owner Occupied and gave some exemptions for sprinkler requirements.

Bill Cox explains that he reached out to the ICC regarding **Justin Kooy's** situation of having two residences on one lot. Would this be considered owner occupied – ICC came back with the interpretation of Yes you can count two dwelling units on one lot as one dwelling unit as long as long as you interconnect the smoke detectors, this would make it one dwelling unit. **Bill Cox** then took this interpretation to the State Building Code Council to see if they interpret the same. State Building Code Council did concur that although they do not classify as one structure, they do classify as an accessory dwelling unit rather than the same structure, which makes it exempt from the sprinkler requirement. In **Justin Kooy's** situation, he would be exempt.

Bill Cox addresses **Jo Maedke's** concern of a two bedroom single family residence, if owner lives there 9 months out of the year and wants to rent it out for 2 months while on vacation. It can still be rented out as owner occupied and is exempt from the sprinkler requirements, but, once the residence goes over two bedrooms there is no exemption for the sprinkler requirements on the state level or the federal level, so anything more than two bedrooms would need to be sprinkled, this is about the only relief that could be found for the sprinkler requirements.

The other topics of discussion were the age of the renter, we had 26 years of age, we have dropped that down to 18 years of age. The radius of notification within a 200 yards will be reduced to immediate neighbors. We clarified the requirements for contact being made with the property owner or property manager in the event of nuisance or emergency.

Joe Dennis asks if this is satisfactory to **Justin Kooy** have his concerns been met? **Justin Kooy**, still a little unclear of where the definition changes from homestay to vacation rental, wording is a little unclear. **Bill Cox** explains the difference and **Justin Kooy's** situation. **Discussion Ensues.** **Justin Kooy** asks if he interlocks fire alarms and applies for homestay will this exempt him from sprinkler requirement. **Bill Cox**, yes. **Joe Dennis** asks **Justin Kooy** although the language is a little bit fuzzy still, is he able to conduct business as is now. **Justin Kooy** says not as he is doing business now, but as he was doing business when cited by the City, **Dave Spencer** asks **Justin Kooy** what does it change: **Justin Kooy**, it changes the smoke detector requirements, as a homestay it does not require a representative, he would be the representative, **Dave Spencer** asks, representative, what is that, he just wants to make sure **Justin Kooy** understands what is being asks. **Discussion Ensues**
Justin Kooy says that it looks like being classified as a homestay the requirements of a vacation rental don't necessarily apply, the age limit the 3 contact phone calls, does that not apply to homestay, **Ron Sell**, correct, those do not apply. **Joe Dennis** says this is a moot point as **Justin Kooy's** situation is a homestay. **Discussion Ensues.**

Clarification of two room rental and occupancy/renter number is asked for. Vacation Rental, Short Term Vacation Rental, home stay and Owner Occupied. **Discussion Ensues.**

Joe Dennis asks if at this point are we still waiting for recommendation from insurance, **Ron Sell**, yes, **Joe Dennis** asks if as a commission are we at a point where we can move forward. **Jo Maedke** responds, she is not, would like more clarification. Sounds as if **Mr. Kooy's** issues have been resolved and he is happy with the work arounds, and he falls under the "homestay" umbrella. This is correct. **Jo Maedke** asks if she is understanding correctly: straight across vacation rental is different from homestay as there is not an owner on premises, you may have a home that you just purchased for the purpose of vacation rental only all year long and want to list as a B&B rental. With the vacation rental as well as the homestay, anything over 2 bedroom rentals have the sprinkler requirements. A vacation rental that the owner does not live or reside in regardless of size, will need to be sprinkled. **Dave Spencer** asks what code this is in. **Bill Cox**, IRC with no state amendments. **Discussion Ensues.**

Jo Maedke and **David Spencer** are not in favor of what is before them. **Discussion Ensues.**

Bill Cox, explains how the language leaves some lenience for jurisdictions, this is why we should wait to see the recommendation of the City Insurance. **Discussion Ensues.** **Jo Maedke** and **Dave Spencer** not in favor.

Anna Franz, understands the Planning Commissions concern about the interpretation of the building code, the ordinance amendment that is before planning commission does not specifically require the sprinklers, it just says it has to meet the building code requirements, **Anna Franz**, the question is, is planning commission ready to move forward of recommending the ordinance for the homestay and vacation homes as it is written so those uses that do not require sprinklers can be permitted under it, there are two different issues, the code amendments before commission are allowing modifications

of the homestay as well as allowing short stay rentals the secondary issue is if someone applies for it and should fall under the category of needing sprinklers.

Joe Dennis asks if in dealing with **Justin's** situation, it does not sound as if we need to wait for the insurance, that would be **Jo Maedke's** concern.

Anna Franz: if you should take action to move forward for city council approval it does not address the sprinkler issue, the sprinkler issue is a separate very involved issue, by waiting this will be holding up people who want to permit under new requirements

Joe Dennis, after listening to **Dave Spencer** and **Jo Maedke**, maybe it is a little too restrictive. **Discussion Ensues.** **Joe Dennis** does not want to unduly delay in moving forward with **Justin's** concerns, if by meeting his concerns and moving ahead, we don't jeopardize the rest of the ordinance is this something that we can move forward and come back to the other issues. **Anna Franz** yes this would allow **Justin** to get his permitted. **Discussion Ensues.**

Dave Spencer again asks **Justin Kooy** if he is clear in what is getting to move forward, **Justin Kooy** replies yes, **Discussion Ensues.**

Justin Kooy does has concerns with the sprinkler requirements in Short term vacation rentals. **Discussion Ensues.**

Anna Franz responds to short term vacation rentals, page 75 F(4), **Anna** reads definition and discusses. **Discussion Ensues.**

Recommendation is to wait for response from insurance carrier.

Joe Dennis asks if there is anything else to discuss.

Meeting adjourns at 7:50 pm.

Next Scheduled meeting July 13, 2017.



Joe Dennis, Planning Commission Chairman

Attest: 

Stacy Hooper, Secretary