



EPHRATA PLANNING COMMISSION
AGENDA
Thursday, July 13, 2017

Board: Joe Dennis
Jo Maedke
Tom Moncrief
Don Guillemette
David Spencer

- A. Regular Commission Meeting: Open to the Public.
- B. Ephrata City Hall - 121 Alder Street S.W.
- C. Call meeting to order - 7:00 p.m.
- D. Roll Call
- E. Approval of Commission Minutes: [June 22, 2017](#)
- F. Correspondence:
- G. Additions and/or revisions to Published Agenda:

Business:

- 1. [Resolution 17-003](#) – Approval of Parkside Estates Phase 2 Preliminary Plat, a 28 lot major subdivision.

Adjourn

Please contact Stacy Hooper at 754-4601 extension 123 if you will not be able to attend this meeting.

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 of 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 asked. **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

Resolution No. 17-003

A RESOLUTION RECOMMENDING THE CONDITIONAL
APPROVAL OF THE PARKSIDE ESTATES PHASE 2, PRELIMINARY PLAT,
A MAJOR SUBDIVISION

THE EPHRATA PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

**PLANNING COMMISSION FOR THE CITY OF EPHRATA
FINDINGS OF FACT, CONCLUSIONS, AND DECISION
In the Matter of
Parkside Estates Phase 2 Long Plat, Preliminary Plat Proposal**

Description of Subject Property: The real property which is the subject of this proposal is located adjacent to and at the end of Parkside Loop SE in Ephrata in a portion of the East half of the Southeast quarter of Section 15, Township 21 North, Range 26 East, WM, Grant County, Washington (Grant County Assessor's Parcel #13-0428-010). Said real property is legally described in the attached Exhibit "A" which by this reference is fully incorporated herein and will hereinafter be referred to as the "subject parcel".

1. Public Hearing.

- 1.1_ The Ephrata Planning Commission is vested with the authority to make recommendations to the Ephrata City Council on major subdivision proposals.
- 1.2_ A public hearing was held before the Ephrata Planning Commission on the Parkside Estates Phase 2 Preliminary Plat Proposal on June 22, 2017.
- 1.3_ Applicant: Jon McCreary
Parkside Land, LLC
1505 N. Miller St., Ste. 260
Wenatchee, WA 98801
- 1.4_ Purpose: Action on Parkside Estates Phase 2 Preliminary Plat Proposal, a 28 lot residential major subdivision on 6.62 acres in a Residential-1 zoning district. Said proposal shall hereinafter be referred to as the "proposed subdivision", the "subdivision proposal", or the "development".
- 1.5_ Evidence: Site location maps
Testimony from City staff
Testimony from Developer and/or Developer's Agent
Staff report (entered into the record)
Written and oral public testimony

2. Findings of Fact.

Based on the evidence presented at the public hearing, the Ephrata Planning Commission makes the following Findings of Fact:

- 2.1 The development is consistent with the Ephrata Comprehensive Plan and meets the requirements and intent of the Ephrata Municipal Code, hereinafter referred to as the “EMC”.
- 2.2 The proposed subdivision does make adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval.
- 2.3 The development does adequately mitigates impacts identified under Chapters 16 through 20 of the EMC.
- 2.4 The public interest will be served by the proposed subdivision and the dedications made therein.
- 2.5 The development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Ephrata Comprehensive Plan.
- 2.6 The Ephrata Planning Commission has determined that the proposed subdivision conforms to the General Purpose of the Comprehensive Plan and the Ephrata Municipal Code.
- 2.7 The current comprehensive land use designation of the subject property under the Ephrata Comprehensive Plan is Urban Residential, Medium Density.
- 2.8 The subject parcel is currently zoned Residential - 1.
- 2.9 The lot sizes within the proposed subdivision are consistent with EMC Section 19.04.170. The proposed subdivision fronts a public street, Parkside Loop SE. The subdivision provides newly created roads that will access existing public roads, and provides adequate access to all parcels. Streets will be improved to city standards and street lighting will be provided.
- 2.10 The proposed subdivision is compliant with all requirements as listed in EMC Section 18.04. The subdivision proposal complies with all applicable health and zoning regulations and is consistent with the City’s Comprehensive Plan.
- 2.11 The area, location and features of land proposed for dedication under the subdivision proposal are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.
- 2.12 Notice of the public hearing on the subdivision proposal was published in the Grant County Journal, the City of Ephrata’s official newspaper of general circulation, on June 1, 2017 and was mailed to all property owners within 500 feet of the boundaries of the subject parcel on June 1, 2017 consistent with the applicable provisions of the EMC.
- 2.13 SEPA review was completed on this subdivision proposal. A Determination of Non-Significance was issued on this subdivision proposal on May 29, 2017.

3. Conclusions of Law.

Based on the evidence presented at the public hearing on the Parkside Estates Phase 2 Preliminary Plat Proposal and the foregoing Findings of Fact, the Ephrata Planning Commission makes the following Conclusions of Law:

- 3.1 The subdivision proposal meets the applicable development standards under the EMC.
- 3.2 The subdivision proposal is consistent with the Ephrata Comprehensive Land Use Plan and with the applicable zoning and health regulations of the EMC.
- 3.3 The subdivision proposal is in the best interests of the community and provides for the orderly and efficient division of land.
- 3.4 The proposed subdivision makes adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval.
- 3.5 The development is beneficial to the public health, safety, and welfare and is in the public interest.
- 3.6 The public interest will be served by the proposed subdivision and the dedications made therein.
- 3.7 The Ephrata Planning Commission is vested with the authority to recommend that the Ephrata City Council approve, approve with conditions, or deny subdivision proposals.
- 3.8 The Ephrata Planning Commission shall recommend to the Ephrata City Council that it approve the subdivision proposal subject to the conditions set forth in paragraph 4.1 below.

4. Decision.

- 4.1 The Ephrata Planning Commission, having considered testimony during the public hearing on the Parkside Estates Phase 2 Preliminary Plat proposal at a public hearing held on June 22, 2017, and having taken and received evidence regarding said Proposal, recommends that the Ephrata City Council approve the Parkside Estates Phase 2 Preliminary Plat Proposal subject to and with the conditions set forth below and directs the Clerk of the Ephrata Planning Commission to forward this Resolution to the Ephrata City Council for its review and consideration.
 - 1) The proposed subdivision shall meet all Community Street and Utility Standards as adopted by the City of Ephrata.
 - 2) The proposed subdivision shall meet all Improvement requirements as listed in EMC Sections 18.04.745 through 18.04.780.

- 3) The proposed subdivision shall meet all City Street Improvements as required by the Ephrata Municipal Code including, but not limited, to those design and improvement standards listed in Conditions 1) and 2) above and those requirements deemed necessary by the City Engineer after review of the completed construction drawings.
- 4) The subdivision proposal shall comply with all local, state and federal rules, regulations, and laws pertaining to this proposed subdivision.
- 5) A street lighting plan as may be required by the City Engineer must be provided. The plan must be approved by the Grant County PUD and include certification that all street lighting fees have been paid or that arrangements acceptable to the city and the PUD have been made for the payment of the required fees.
- 6) The Plat name shall be in conformance with the naming standards as required by the Grant County Auditor's and Grant County Assessor's offices.
- 7) The development shall comply with all applicable requirements of the International Building Code.
- 8) The development shall comply with all applicable requirements of the International Fire Code.
- 9) The development shall comply with all applicable requirements of the Uniform Plumbing Code.
- 10) The development shall comply with all requirements deemed necessary by the Washington State Department of Health and the Washington State Department of Ecology regarding domestic water supply, sewage systems and storm water control and treatment including, but not limited to: RCW 90.48.080 Discharge of Polluting Water Prohibited; WAC 173-201, Surface Water Standards; and WAC 173-201A, Ground Water Quality Standards.
- 11) If any Native American Grave site(s) or archaeological/cultural resources (Indian Artifacts) are found all construction activities shall stop and the Applicants shall immediately notify the Colville Confederated Tribes and the Washington State Office of Archaeology and Historic Preservation.
- 12) The Applicant shall be responsible for any upgrades to the existing water service line within the proposed subdivision as required by the City Engineer. City Engineer will determine minimum size service line.
- 13) The Applicant shall be responsible for any extension to the existing sewer lines within the project boundaries and to this proposed subdivision as required by the City Engineer. Applicant shall provide stub-outs to all lots within this proposed subdivision as required by the EMC. City Engineer will determine minimum size of service line as needed.
- 14) Fire hydrants shall be required within the proposed subdivision at locations acceptable to the Ephrata Fire Chief.
- 15) Applicant shall be responsible for including all easements as required for utility services as required by the City Engineer.
- 16) Any existing sewer and water stub-outs shall be utilized or sealed properly as required by the City Engineer.
- 17) Public utility easements including five (5) foot interior lot line easements and ten (10) foot street and exterior lot line easements shall be shown on the final plat.
- 18) Airport Aviation and Hazard Easements shall be included on the final plat.

- 19) Land dedicated for park purposes or fee in lieu of land as defined in Ephrata Municipal Code Chapter 18.04.780 is required.
- 20) Street names shall be shown on final plat.
- 21) All roads to be built to City standard.
- 22) Plat Certificate shall be required for final plat.
- 23) Storm-water drainage plan will be required with the construction drawings.
- 24) The applicant shall provide an easement, ten feet from centerline on both sides of the existing sewer line from the end of Parkside Loop to 5th Avenue SE.
- 25) The applicant shall provide an easement for the extension of the water main to either 5th Avenue SE or to 2nd Avenue SE subject to prior approval of said location to loop the water line.
- 26) Prior to acceptance of plans for the final plat, the developer shall provide written notice requesting withdrawal of any previous preliminary plat and planned unit development approvals on undeveloped land.

ADOPTED AND APPROVED by the Ephrata Planning Commission and signed by its Chair on this 13th day of July, 2017, at Ephrata, Washington.

Joe Dennis, Chair

ATTEST:

Stacy Hooper, Clerk

Exhibit "A"

LEGAL DESCRIPTION:

A parcel of land located in the Southeast quarter of the Southeast quarter and in the Northeast quarter of the Southeast quarter, Section 15, Township 21 North, Range 26 E. W.M., Grant County, Washington, being more particularly described as follows: Commencing at the Southeast corner of said Section; thence North 00°05'10" East along the East line of said Section, 646.87 feet to the South line of the North half of said Southeast quarter of the Southeast quarter and the POINT OF BEGINNING; thence South 89°14'06" West along said South line, 512.71 feet; thence North 45°45'57" West, 85.04 feet; thence Southwesterly along the arc of a curve concave Northwesterly, the long chord which bears South 47°49'52" West, 90.92 feet and having a radius of 205.00 feet to said South line; thence South 89°14'06" West, along said South line, 122.03 feet to a point 567.08 feet from the West line of said Southeast quarter of the Southeast quarter; thence North 00°09'04" East, 482.92 feet; thence North 60 017600'00" East, 159.20 feet; thence North 65°00'00" East, 61.46 feet; thence North 31°32'50" East, 10.68 feet; thence North 59°04'23" East, 151.84 feet; thence South 75°00'00" East, 140.31 feet; thence North 44°00'00" East 19.18 feet; thence South 49°00'00" East, 116.59 feet; thence South 58°35'03" East, 50.19 feet; thence South 75°00'00" East, 158.79 feet to the East line of said Southeast quarter of the Southeast quarter; thence South 00°05'10" West, 499.17 feet to the POINT OF BEGINNING.

EXCEPT That portion with in Parkside Estates Phase 1A Major Plat recorded under Grant County Auditor's No. 1288901.

ALSO EXCEPT: Beginning at the Northeast corner of Lot 9 of Parkside Estates Phase 1A Major Plat recorded under Grant County Auditor's No. 1288901; thence North 17°15'17" East along an extension of the East line thereof a distance of 12.05 feet; thence North 67°44'43" West parallel with the North line of said Lot 9, a distance of 109.13 feet to the intersection with the Northerly extension of the West line of said Lot 9; thence along a non tangent curve to the Left with a radius of 145.00 feet, a length of 12.01 feet to the Northwest corner of said Lot 9; thence South 67°44'43" East, a distance of 110.29 feet to the Northeast corner of said Lot 9 and the POINT OF BEGINNING.