

PLANNING COMMISSION MINUTES
September 28, 2017

The Ephrata Planning Commission, Grant County, Washington met on September 28, 2017. The meeting was called to order in Council Chambers at 7:00 p.m. by Chairman Joe Dennis. Roll was taken. Members present Jo Maedke, Don Guillemette, David Spencer and Tom Moncrief.

Staff present: Ron Sell, Community Development Director; Anna Franz, City Attorney; Stacy Hooper, Secretary. Bill Sangster, Public Works Director excused absence.

The commission reviewed the minutes of July 13, 2017 meeting. Minutes were approved as written. (m/s Jo Maedke/ Don Guillemette). Motion carried.

Correspondence: Ron Sell pointed out that there are some additional letters in front of Planning Commissioners that were not originally emailed out for both agenda items.

Additions and/or Revisions to Published Agenda: No additions or revisions

Business:

- 1) Public Hearing – Parkside Estates Phase 1 Preliminary Plat and Planned Unit Development major modification to approved development.

Joe Dennis opens Public Hearing at 7:03 p.m. by asking each member:

- 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 and public replied "NO"

Public Present:

George Thompson of Ephrata, Kaylene Bair of Ephrata, Chelsey Sanferd of Ephrata, Jeffrey Sanferd of Ephrata, Dusty Jones with Parkside Estates, LLC, Danette Szczutowski, Meghan Smith of Ephrata, Adam Smith of Ephrata, Henry of Ephrata, Pete Vanstine of Ephrata.

Ron Sell presents Staff Report:

Original description in the Staff report is not quite correct. The request is to change the existing tract A from a park, not necessarily to make it into a residential building site, to possibly expand adjoining lots into this tract, and to not have the open space. Open space was a requirement of the original plat approval and phase 1 is still part of the planned unit development that has the open space requirement. To change this requirement, it is considered a major modification to the original planned unit development and that is why it has been brought to Planning Commission. At this point staff is asking that the Public Hearing be opened to the public and comments accepted. Staff asks that the Planning Commission extends the Public Hearing to the next planned meeting.

Dusty Jones with Parkside LLC takes the floor, explains what the developer wants to propose and a little of the history of the submittal. Parkside LLC would like to divide a portion of tract A amongst adjoining lots. Dusty Jones asks Ron Sell questions regarding the Home Owners Association Agreement. Joe Dennis asks if the division of tract A would be a gift of land to property owners or purchased. Dusty answers, Parkside LLC would donate land but buyer would need to pay the surveying and recording costs. Jo Maedke asks for clarification on drawings that Dusty Jones has handed out.
Discussion Ensues.

Pete Vanstine – 2230 Basin: Regarding the additional real estate that is a gift from the contractor, are the homeowners going to be given the additional cost of land for tax purposes? Mr. Vanstine states his experience as a developer is that the developer would establish the home owner association before selling the houses, that way the home owners association would transfer over.

George Thompson - 460 Statter- Recently purchased a lot near this development, one of the selling points that the realtor used in selling the lot to them was that there was going to be a park developed. His kids live in various areas around the state that do have homeowners associations and parks which is a real benefit to the community. He finds it disappointing that the park and the Home Owners association was not established up front. Hopes that the Planning Commission sees that the Home Owners Association and park will get established in the future. Suggests that since there will already be a surveyor on site for phase two, would they be able to absorb some of the cost to survey and rewrite lot descriptions if the open tract is split between adjoin parcels.
Discussion Ensues.

Joe Dennis asks for further comment. No comments from Public or Planning Commissioners. If the Public should have any questions or comments they are encouraged to attend the next Public Hearing. Public Hearing will be continued.

Public Hearing is continued to October 12, 2017.

Study Session – New updates to the Ephrata Zoning Code to include Bed and Breakfast Facilities and Short Term Vacation Rental zoning provisions Opens:

Ron Sell explains the documents that have been forwarded to Planning Commission. Ron Sell brings to the attention of the Planning Commissioners, Planning Commission needs to go back to what they can actually discuss and change as Planning Commission, which is Zoning Code, not building code. Planning Commission needs to move forward with review and recommendation on zoning code, and remove building code from this section.

David Spencer asks for clarification as to what City Council asked for recommendation on from Planning Commission. **Discussion Ensues**

Anna Franz comments that the council asked for recommendation from the planning commission on legislation allowing short term rentals. The issue was that this was not an allowed use under the zoning code and the council wanted review on the zoning issues. Building code is not a legislative function it is an interpretation function. **Discussion Ensues**

Ron Sell discusses some of the definitions, Jo Maedke asks, if it is not in the code does that mean it is ok to do? Ron Sell, the way our code has been developed, if it is not in the code then it is not a permitted use. The proposed revisions of the zoning code is to clarify and allow these types of uses within the city. David Spencer asks Justin Kooy if this is his understanding. David Spencer asks if someone thinks the Building official interprets the building code incorrectly, how is that addressed? Ron Sell answers with a specific permit there is an opportunity to challenge the interpretation under the building code, but you would have to have standing and be a person with interest in the specific interpretation and permit. David Spencer asks, a general person of the public can't contest the interpretation? **Discussion Ensues**

Joe Dennis clarifies that the duty of the planning commission is to come up with a recommendation to the City Council that will address the use of the bed and breakfast and short term use, not necessarily Justin Kooy's situation. Where do we stand at this point? **Discussion Ensues**

Joe Dennis asks if the Planning Commission is in agreement, that with discussions up to this point, short term rentals and Bed and Breakfasts should be allowed? Planning Commissioners agree. Some planning commissioners did not have the most recent copy of Title 19, this was copied and handed out for discussion.

Jo Maedke asks if the Ivy Chapel is considered a Bed and Breakfast, Ron Sell explains originally they were set up as a boarding house in the early 90's. Jo Maedke asks if they are grandfathered in. **Discussion Ensues.**

Jo Maedke opens discussion with questions on page 72 item 9. **Discussion Ensues**

Discussion Ensues – table on page 67 – Recommendation that in residential zones bed and breakfasts or short stays, should be changed from conditional use to Permitted use, but kept Conditional in the commercial zones. Discussion Ensues. All in agreement to change chart to read permitted use in residential areas and conditional use in the Commercial zones, except in C1. C1 will be permitted use.

Discussion Ensues- page 38 – 19.02.287 – Non-Transient- Does owner need to live on site. Is it the dwelling or the occupants that are being classified.

Discussion Ensues 19.02.351 Short Term Vacation Rentals – Single family residence changed to residential unit. Last sentence in paragraph to be removed.

Justin Kooy asks if the Ivy Chapel will be re-classified from boarding house to non-transient use. Ron Sell explains that it would have to be reviewed and someone would have to submit a letter to request.

Discussion Ensues

Discussion Ensues regarding time lines.

Next meeting will start with page 71.

Next Scheduled Meeting October 12, 2017 .

Meeting on September 28, 2017 adjourns at 8:04 p.m.

Joe Dennis, Planning Commission Chairman

Attest:
Stacy Hooper, Secretary