

City of Colville

PLANNING COMMISSION

November 14, 2012

7:00 P.M. – City Hall

MINUTES

The Colville Planning Commission met for a regular meeting on Wednesday, November 14, 2012 in the Council Room at City Hall. Chairperson Jody Hoffman called the meeting to order at 7:00 P.M. with a quorum present.

MEMBERS PRESENT: Jody Hoffman, Alan Bedford, Brenda Buckner, Russ Larsen, and Dee Hokom. MEMBERS ABSENT: Two vacancies exist. STAFF PRESENT: Assistant Planner Melinda Lee and Recording Secretary Susan Davis. OTHERS PRESENT: Don Strand, Sandy Danichek, and Doug Kyle.

MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of October 10, 2012 had been distributed to each member prior to the meeting. Russ Larsen moved and Alan Bedford seconded the motion to approve the minutes as written. Motion carried unanimously by a show of hands.

PUBLIC HEARING – 7:00 P.M.

- Proposed Amendments to the City of Colville Development Regulations
  - Chapter 16: Land Division Ordinance
  - Chapter 17: Zoning Ordinance
    - Table of Uses, Chapter 17.12.070

Chairperson Jody Hoffman convened the scheduled public hearing to consider proposed amendments to the City of Colville Development Regulations. She explained that the proposed amendments pertain to Chapter 16, Land Division Ordinance, and Chapter 17, Zoning Ordinance, including the Table of Uses, Chapter 17.12.070. After reviewing the hearing procedure, the Chairperson declared the public hearing open at 7:01 P.M. and asked for the staff report.

Assistant Planner Melinda Lee presented the staff report, which had been distributed to each member prior to the meeting (attached hereto and made a part of these minutes). Copies were available to the public. In accordance with the Growth Management Act (GMA), Melinda explained that the development regulations have been reviewed for possible revision in conjunction with the 2011 periodic update of the Comprehensive Plan to ensure consistency. Melinda advised that the development regulations have been evaluated throughout the past year and discussed at a series of Planning Commission meetings to allow for public participation in accordance with Chapter 17.96.110. The Department of Commerce received the draft proposal of the amendments within the required 60-day timeline. They have evaluated the proposal and found the document to be compliant with the requirements of the GMA at this time.

Melinda identified the primary changes to Chapter 16, Land Division Ordinance and Chapter 17, Zoning Ordinance, of the Colville Municipal Code, referred to as the Colville Development Standards. The proposed changes are summarized as follows:

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- Revised development standards for private streets;
- The inclusion of recreational vehicles (RVs) as dwelling units within specific sites, with conditions;
- The expansion of the keeping of chickens to include all residential districts, with conditions;
- The expansion of beekeeping to include all residential districts, with conditions;
- Modification of the Table of Uses to include clarification and consolidation of similar uses that are permitted in the same districts, the inclusion of some uses that exist but were not defined, and changes to reflect standards for RVs, chickens, and beekeeping;
- Definitions have been added or modified for clarification;
- Permit requirements and associated fees have been proposed for RVs, chickens, and beekeeping;
- Some “housekeeping” items included to correct typographical errors found in the document or changes that were required due to recent legislation.

Based on continued discussions and further staff review, Ms. Lee presented a compilation of changes made since the last meeting, as shown in red on Pages 4 through 12 of the staff report (copy on file).

Melinda noted an additional change on Page 5, Section 16.16.100.E, to reflect striking all of the following language “(see Chapter II-5 of the Stormwater Management Manual for the Puget Sound Basin, Washington Department of Ecology, February 1992).”

Ms. Lee referred to the notation on Page 6, under Chapter 17, Zoning Ordinance, which states “A current “Official Zoning Map” needs to be adopted.” She advised this notation will be moved to Page 7, under Chapter 17.08, Zoning Districts, which is more appropriate, and will be included in the amending ordinance.

In regards to beekeeping, Melinda explained that a new definition for “colony” has been proposed on Page 7 that would limit a hive to a specific number of frames. Alternate language defining “colony” was distributed, as proposed by beekeeper Don Strand, which would limit a colony to 10 frames per hive (attached hereto and made a part of these minutes). As requested, Mr. Strand provided further clarification related to beekeeping per the industry standard. Following brief discussion, it was a consensus of the Commission to accept the alternate language, as proposed by Mr. Strand, as a definition for “colony”.

A change to the Table of Uses, Chapter 17.12.070, relative to the “keeping of livestock” was identified. Melinda explained that she felt it would be appropriate to specify footnote #34 under the R-1-S District because the standards of Section 17.64.180 currently apply to other types of animals as well as chickens. She pointed out the R-1-S District is more rural and therefore further restrictions on the keeping of chickens in that zone are unnecessary.

Changes were noted on Page 8, Chapter 17.52, Critical Resource Areas Overlay District, and Chapter 17.56, Flood Management Overlay District. Melinda explained that per the June 24-25, 1997 City Council minutes, the Interim Critical Areas Ordinance and the Flood Management Ordinance were intended to be repealed when the new development regulations were adopted. Because that did not occur, Melinda is going to reference that these ordinances have been replaced by Chapters 17.52 and 17.56. The amending ordinance will repeal the applicable sections of the Colville Municipal Code.

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Melinda stated that on Page 9, the proposed fee for the placement of an RV as a dwelling has been changed from \$25 to \$75, consistent with the current fee for the temporary use of RVs.

Melinda proposed to strike the statements under Sections 17.64.190, Keeping of chickens, and 17.64.200, Beekeeping, on Pages 9 & 10, which read “(To be adopted as a separate ordinance and inserted in this location)” because these sections can be included in the amending ordinance.

As outlined in the staff report, the Colville Zoning Ordinance states that text amendments to the Comprehensive Plan and associated development regulations are a Type V Legislative Process, in accordance with Chapters 17.96.040 and 17.108.130. The Planning Commission may recommend approval of an amendment to the development regulations if all of the findings of fact can be made in an affirmative manner.

In conclusion, Melinda stated staff recommends approval of the amendments to Chapters 16 & 17 of the Colville Municipal Code, as proposed. She suggested findings of fact for consideration as outlined on Pages 13 & 14 of the staff report.

At this time the Commission asked questions of staff and discussion followed.

Brenda Buckner expressed concern relative to suggested language on Pages 4 & 5, in Chapter 16, Section 16.16.060.F.2)A.1.a., “...Applicable development standards will apply, as measured from the edge of the easement.” For clarification for later interpretation, she suggested a change to state “Applicable city development standards...” in subsections F.2)A.1.a. and F.2)A.2.a. Melinda stated the intent of “development standards” is to apply to development standards within each district for construction of buildings on a lot, i.e., setbacks, to avoid creating non-conformities.

Regarding language on Page 5, Chapter 16, Section 16.16.060.F.2)a.1.b and F.2)A.2.b, Brenda felt that specifications and numbers should not be included unless they are detailed when it comes to surfacing private streets. She was not opposed to referencing generic surface materials such as gravel, asphalt, or concrete. Brenda further noted that Portland cement is an ingredient in concrete and suggested that it be deleted entirely and just insert a reference to “concrete”. She felt developers should be able to submit a proposal for street development and surfacing for approval by the City Department responsible for review. Dee Hokom pointed out that different areas would have different needs and further felt generic references would allow some discretion for the reviewing authority.

At this time, Doug Kyle, 518 S. Elm Street, Colville, WA provided some clarification regarding easements, which are not always exclusive. He also suggested alternate language for the review and approval of street surfacing proposals such as “the authority having jurisdiction”.

Dee Hokom referred to the statement in subsection C.3), on Page 12, which reads in part “...maintain membership with the Inland Empire Beekeepers Association or other accepted beekeeper organization” and asked what is meant by “accepted beekeeper organization.” Don Strand explained that there are other organizations such as the Washington State Beekeepers Association and others in Yakima, and Bellevue that beekeepers could be a part of. As a result of brief discussion, it was a consensus of the Commission to delete the words “accepted beekeeper organization” and insert the words “comparable organization.”

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Brenda Buckner expressed concern relative to the required connections to utilities for RVs and suggested that clarification be added to Section 17.64.080.A.2), on Page 8. She requested that subsection 2) be changed to read "The units must be hooked up to city approved water and wastewater facilities..." to avoid any future issues with interpretation of the intent.

At 7:51 P.M., the Chairperson asked to hear from anyone wishing to speak on the issue being heard.

Doug Kyle, 518 S. Elm Street, Colville, WA asked about any reference for input from neighboring properties on permit applications for the keeping of bees or chickens. He indicated he would like to be able to provide input if a neighbor applies for a permit and whenever renewal is requested as well. He felt that chickens can become a problem quickly if they are not taken care of on a regular basis. Melinda noted that proposed language on Page 10, Section 17.64.200 Beekeeping, subsection A, states "Beekeeping will be allowed with the approval of an annual permit application on any lot occupied by a single family residence that is within any of the residential districts; subject to the ability to meet applicable standards and notification to adjoining property owners (not including right-of-way) at least 10 days prior to permit approval." Following brief discussion it was a consensus of the Commission to add similar language to the provisions for the keeping of chickens to require public notification.

Mr. Kyle also expressed concern about the proposal to permit RVs to be used as permanent dwellings. He did not believe that it is a good thing to do. If allowed, he felt there should be an occupancy standard applied to RVs for safety and sanitary reasons, noting that RVs are not designed to be used as permanent dwellings. He requested the Commission to look to the future as these regulations are developed and implemented to the benefit of the community. Melinda Lee explained that recent state legislation requires that each city and town provide somewhere for RVs as permanent dwellings and the proposed amendment seeks to comply with the RCWs. She noted, as proposed, they would only be allowed in manufactured home parks and designated RV parks in the C-3 District. Mr. Kyle asked that research be done to see if there have been any challenges to the state law in this regard. Following brief discussion, it was a consensus of the Commission to have staff research the issue further and determine if stricter regulations can be proposed addressing occupancy standards, smoke detectors, and potential interior modifications.

As a result of discussion, Melinda recommended that the Planning Commission meet again to consider additional information prior to submitting a recommendation to the City Council.

At 8:10 P.M., Chairperson Hoffman continued the public hearing to the next meeting, which will be held on November 28, 2012, at 7:00 P.M., at City Hall.

OLD BUSINESS: There was no Old Business to be presented.

NEW BUSINESS: There was no New Business to be presented.

PUBLIC COMMENT PERIOD:

Sandy Danichek, 743 E. Elep Ave., Colville, WA expressed concern regarding the extended parking of recreational vehicles on public streets. She felt this practice is inappropriate and unsightly and that these vehicles should be required to be stored properly.

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ADJOURNMENT

As there was no further business, Dee Hokom moved and Alan Bedford seconded the motion to adjourn. There were no objections and the meeting was adjourned at 8:13 P.M.