

City of Colville

PLANNING COMMISSION

November 28, 2012

7:00 P.M. – City Hall

MINUTES

The Colville Planning Commission met for a regular meeting on Wednesday, November 28, 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: Alan Bedford, Brenda Buckner, Jody Hoffman, Dee Hokom, and Russ Larsen. MEMBERS ABSENT: Two vacancies exist. STAFF PRESENT: Assistant Planner Melinda Lee and Recording Secretary Susan Davis. OTHERS PRESENT: Rev. Terry Cripps.

MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of November 14, 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. Voice vote showed all in favor.

PUBLIC HEARING - CONTINUED FROM NOVEMBER 14, 2012

- 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 reconvened the public hearing continued from November 14, 2012 to consider the 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. At this time, further information was requested from the staff.

Assistant Planner Melinda Lee addressed concerns discussed at the previous meeting in her November 21, 2012 memorandum, which was distributed to each member and made available to the public prior to the meeting (attached hereto and made a part of these minutes).

Ms. Lee explained that she deleted references to specifications for surfacing materials for private streets in Chapter 16, Section 16.16.060, as requested. This will allow discretion for the reviewing authority to determine the adequacy of street surfacing material on a case by case basis.

A new definition for bee “colony” was proposed based on public input. There were no objections to the proposed definition.

Relative to proposed changes for recreational vehicles (RVs) as permanent dwellings, Melinda explained that she spoke with Jim Doherty of Municipal Research and Services Center (MRSC), a private, non-profit organization that provides consulting services for local governments.

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As outlined in the attached memorandum, Melinda referred to the following questions of Mr. Doherty and his answers:

Q: Does the new legislation (RCW 35.A.21.312) indicate that our current regulations, which prohibits the use of RVs as permanent dwelling units still holds?

A: The new legislation requires that recreational vehicles must be able to be used as permanent dwelling units in manufactured home/RV parks and local governments need to amend their ordinances to accommodate that new requirement.”

Q: Is it possible to establish occupancy limits for a recreational vehicle as a dwelling unit?

A: There are no state laws that would give us the authority to limit the number of people living in a residential unit, whether it is a regular home or an RV. The City could address the issue as a nuisance or health hazard, should the situation escalate to a point where it warrants it.

Ms. Lee explained that RVs are required to meet certain standards for fire and safety. As stated in Section 17.64.080.A.3), she pointed out they are required to bear an insignia issued by the state regulatory agency indicating that the unit meets prescribed standards for an RV.

Some Commissioners expressed concern about health and safety issues associated with some of the manufactured homes in town and potentially with RVs. Dee Hokom felt that tenants are hesitant to report issues and questioned whether there is a method to monitor conditions. Melinda advised that the City’s nuisance ordinance relates to the condition of property, not the interior of structures. She stated the City has no authority to enter manufactured homes and RVs, which are under the jurisdiction of the State Department of Labor & Industries (L&I). It was felt that there are other agencies that have jurisdiction over other issues.

In conclusion, there were no objections to the changes to Section 17.64.080.A as proposed by staff.

Melinda referenced Section 17.64.190, Keeping of chickens, noting that at the previous meeting the Commission requested that language be inserted requiring public notification prior to permit approval, similar to beekeeping. She pointed out that the language was inserted for beekeeping due to potential health concerns for people who are allergic to bees. Melinda explained that following discussion with Director of Building & Planning Jim Lapinski, they felt that it would not be appropriate to require public notification for the keeping of chickens. It was felt if the keeping of chickens is an allowed use, subject to conditions, it should not be any different than other allowed uses. She pointed out if a situation becomes a nuisance, there is a process to deal with it. Melinda stated it is staff’s recommendation to strike the proposed language requiring public notification for the keeping of chickens. Following brief discussion the Commission concurred with staff.

Brenda Buckner felt that Section 17.64.200.A, Beekeeping, “...notification to adjoining property owners...” should be more specific so it is clear how it will be done and who will do it. For clarification, she asked if language could be inserted to state “...written notification to adjoining property owners “as submitted to the city...” so that staff can mail it out. Melinda advised that the proposed language could be added noting that city staff already does that in other instances.

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Melinda advised that the City of Lacey is the only example she was able to find that changed its ordinance to allow RVs as permanent dwelling units. They specify recreational vehicles and recreational park trailers. The Lacey ordinance states that the recreational units need to meet current safety issues. Melinda felt our proposed standards require an insignia on the RV to certify compliance for safety. Dee asked how the City could certify compliance with safety standards based on an insignia, which could have been put on the unit at the factory, prior to modifications or deterioration that results over time. Melinda noted that she cannot verify interior modifications because that is under the jurisdiction of the Department of L&I. The Commission requested that a reference to RCW 35A.21.312 be added to ensure that everything is being done to ensure compliance.

Chairperson Hoffman asked to hear from anyone wishing to speak on the issue being heard.

Rev. Terry Cripps, 825 S. Chester St., Colville, WA, suggested that consideration be given to imposing a safety sticker through the Fire Department certifying that there is no fire hazard. He suggested that anything that is occupied over six months could be subject to a fire safety inspection. The Commission pointed out that a home inspection is not a requirement of any dwellings at this time. Requiring a special inspection on RVs could be viewed as discrimination. Melinda offered to contact the Department of L&I for more information.

At 7:53 P.M., hearing no further public comment, the Chairperson closed the public testimony portion of the hearing and opened it to Commission discussion and dispensation.

Russ Larsen moved and Alan Bedford seconded the motion to recommend City Council adoption of the proposed amendments to the Colville Development Standards, as amended, based on the findings of fact as outlined on Pages 13 & 14 of the November 7, 2012 staff report. Voice vote carried unanimously (5-0).

Melinda Lee advised that staff anticipates presenting the proposed amendments to the City Council at a public hearing on December 11, 2012.

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

PUBLIC COMMENT PERIOD: There were no public comments.

REPORTS:

It was reported that it appears Dylan Schanz has nearly completed a proposed walking trail east of town for his Senior Project. Brenda added that Dylan has posted his progress on the trail on a facebook page.

Melinda confirmed that Avrum Baum's Tiger @ Creek retail/professional building at 3rd & Oak Streets has a couple of tenants.

ADJOURNMENT

As there was no further business, Alan Bedford moved and Russ Larsen seconded the motion to adjourn. There were no objections and the meeting was adjourned at 8:00 P.M.