



CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission
Chelan County Administration Building, Room 1 VIA ZOOM
Called to Order: 7:03 PM
400 Douglas Street
Wenatchee, WA 98801

Date: April 22, 2020

CALL TO ORDER

Meeting was called to order at 7:03 pm.

COMMISSIONER PRESENT/ABSENT

Greg Becker	Present	Carl Blum	Present
Randy Baldwin	Present	Vicki Malloy	Present
Ryan Kelso	Present	Jim Newberry	Present
Jordan McDevitt	Present	Pat Hammersmith	Present
James Wiggs	Present		

STAFF PRESENT

Deanna Walter, Interim Director
Wendy Lane, Permit Clerk
Lisa Ogle, Permit Clerk

PUBLIC PRESENT

ZOOM MEETING WITH 45 PARTICIPANTS

APPROVAL OF MARCH 25, 2020 MINUTES

Correction to the minutes – no vote taken to approve the flood hazard ordinance, it was postponed to a date and time certain to April 22, 2020, at 7 pm.

Upon motion and second by Commissioners Jordan McDevitt and Jim Newberry, the Commission unanimously approves the corrected minutes.

PUBLIC COMMENT PERIOD

No members of the public commented.

OLD BUSINESS:

Hearing for Text Amendments to Chelan County Code Chapter 3.20 Flood Hazard Development

Presentation was made by Christina Wollman with Pertect. Update was started months ago, and told by FEMA there were additional requirements. Clarity and consistency and codifying provisions that is already required. For flood insurance, the County must be part of the flood insurance program and must regulate the floodplain. We have had CAV visits – Ecology was here for a CAV review in 2015. FEMA was here for the CAV visit in 2019.

This is based on the Washington Model Flood Plain Development Code. Christina Wollman outlined specific sections of the code during the presentation.

Repair and maintenance provisions were discussed with questions from Planning Commission members, Greg Becker, Ryan Kelso, Jordan McDevitt, and Carl Blum

Questions from the public –

Cheryl Nelson asked if it concerns anyone that if someone loses their home, it cannot be rebuilt. Christina Wollman addressed this.

Dan Beardslee refers to 3.20.330(5) regarding specific land use actions. BLAs are exempt activities. Suggest striking BLAs from being subject to this ordinance. Jordan McDevitt agreed and asked Christina what needed to be changed to make this clearer. Jordan suggested that the BLA process is definitely different and warrants different provisions, possibly a Notice to Title.

Further discussion – Christina Wollman suggested separating out BLAs and identifying those lots wholly within a floodway would require a Notice to Title.

Cheryl Nelson asked if FEMA decides where the floodplain is. Christina Wollman addressed that – FEMA maps are used, so yes, they do define where the flood plain is.

Chairman Ryan Kelso asked about the flood rates and how they are impacted (savings) by having these regulations, and people should have the option of whether they want to participate in this or not in order to save money. It may also cause problems with someone meeting the 50% restriction for a remodel if they need to keep something in its original location even though it doesn't meet the new code.

Chairman Ryan Kelso also asked about the reference to electrical and plumbing, and asked if the language could be updated because those services generally come into the structure below ground.

Christina Wollman proposed changing that language to match the elevation certificate language.

Cheryl Nelson had 3 more questions:

1. How the FEMA maps are contested?

Christina Wollman answered – those are done through an elevation certificate or a map revision application process through FEMA, and possibly a LOMA (letter of map amendment)

2. With our aging population, contractors are installing more elevators. Is there a variance for that?

- Christina Wollman answered that the solution was to put the mechanical equipment at the top
3. How much does an “elevation certificate” cost?
Dan Beardslee answered as a surveyor. They vary widely depending on whether or not there are benchmarks established.

Cheryl Nelson stated that this WOULD add additional cost to home owners, increasing the base price of homes in Chelan County.

Chairman Ryan Kelso closed the public testimony portion of the hearing.

Greg Becker asked Christina Wollman if there was any consideration given to the fact that the Columbia River is highly regulated. Christina answered yes. Processes the landowners can go through to remove their property from the floodway if they can prove they are above the regulated flood way. Official process is through FEMA – LOMA (letter of map amendment).

Chairman Ryan Kelso asked Christina Wollman to make the changes and send revisions to Planning Commission for consideration at May 6th meeting.

MOTION:

Motion was made by Greg Becker, seconded by Jordan McDevitt to refer this topic as old business to May 6th at 7 pm. Hearing will remain open and be voted on at the May 6th meeting. There was a unanimous vote by Planning Commissioners.

NEW BUSINESS:

Hearing for ZTA -2020-005 Limited text amendments

Upon motion and second by Commissioners Jordan McDevitt and Greg Becker, the hearing for ZTA 2020-005 was postponed to a special Planning Commission meeting, date and time certain to May 6, 2020 at 7 pm. Commissioners unanimously approve.

Study Session/workshop for Short-term rentals

PowerPoint Presentation by Lisa Grueter from BERK regarding draft regulations. The presentation was shared to the screen so all participants with video could follow along. She verbally went through every slide for those participants that were audio only.

She summarized comments received last year and then also summarized new comments received since January through today’s hearing. Four additional comments came in this afternoon after the presentation was prepared. These are all being forwarded to the Planning Commission members.

Lisa Grueter introduced best practices in the form of goals.

March 31, 2020 workshop with the BoCC introduced additional direction (pg. 14 of PowerPoint) regarding zones allowed, unit types, permit transfer, occupancy restrictions, standards for health and safety, permits, inspections and enforcement.

Chairman Ryan Kelso asked what the permitting process would look like, including fees.

Lisa Grueter stated that the fee will be revisited when the Community Development department can review how long the review process would take for building compliance,

Greg Becker – we can make all the rules we want, but without ongoing enforcement, it means very little.

Deanna Walter explained that effective (tentatively) January 1, 2021, code enforcement will be under the Sheriff's office and Title 16 will be amended to reflect a citation based code. Title 16 changes will take some time, hence the January 1, 2021 date.

Time was spent on discussing and explaining the options for limiting the numbers – food for thought.

Lisa Grueter introduced specific standards (pg. 17 of PowerPoint) and permitting timelines for both initial permits and annual renewals (pg. 18 of PowerPoint). Numerous questions about how this would work with a first-come first-served permit after the deadline. Carl Blum suggests a lottery method would relieve the pressure on both the applicants and Community Development staff during this process.

Discussion among the Planning Commission members regarding funding enforcement and if we are able to do this, they don't want additional regulations that aren't enforced.

Vicki Malloy asked about considerations being made towards having a "lodge" category.

Lisa Grueter offered the option of having a tiered permitting process, such as Spokane County. Some out of state STR regulations also look at # of days, or whether or not they have the owner on site as the primary residence, etc.

Jordan McDevitt liked the idea of a tiered approach. Vicki Malloy agreed.

Carl Blum would like a requirement for a land line for every STR.

There was a discussion of a timeline for the adoption process. These issues tonight need to be further discussed in a continued workshop.

Lisa Grueter summarized the additional information brought up tonight:

1. Additional research on code enforcement
2. Tiering the categories
3. Financial analysis, looking at cost recovery
4. Lottery for permits vs. first-come, first-served

MOTION:

Motion made by Carl Blum and seconded by Greg Becker to continue this workshop to May 13, 2020 at 7 pm. There was a unanimous vote by Planning Commission members.

ADJOURNMENT:

Motion to adjourn meeting was made by Jordan McDevitt, and seconded by Carl Blum. There was a unanimous vote by Planning Commission members.

The meeting was adjourned at 9:31 pm.

Next Meeting: May 6, 2020 at 7:00 p.m. for hearing on limited text amendments ZTA 2020-005

All Planning Commission meetings and hearings are open to the public.