

City of Stevenson Planning Commission  
City Hall  
June 13, 2016  
6:00 PM

**Planning Commission Members Present:** Scott Anderson, Valerie Hoy-Rhodehamel, Shawn Van Pelt, Chris Ford.

ASHLEY was an excused absence.

**Staff present:** Ben Shumaker

**Public present:** Mary Repar, Philip Watness, Rose Lucas, Kevin Lucas, Bernadette Ledesma, Jason Ledesma, Norm Haight.

**Call to Order - 6:00 PM**

**Preliminary Matters:**

1. **Chair selected Public comment:** Option #1
2. **MINUTES HOY-RHODEHAMEL** moved to approve the minutes from May 9, 2016 as presented. **FORD** seconded. Unanimously approved.
3. **PUBLIC COMMENT PERIOD**  
**Repar** commented her thanks to the City for working with the State to redo the chip sealing work on 2<sup>nd</sup> Street. She added she is very opposed to removing the stop sign at the corner of 1st Street and Russell Ave and commented how she has witnessed pedestrians attempting to cross the street with the stop sign in place and added, without the stop sign and added truck traffic on 1st Street, there will be additional danger. She further commented BNSF should be contacted regarding safety in regards to the distance between the tracks and the Quad gates.

**NEW BUSINESS**

4. **Conditional Use Proposal:**  
CUP2016-01 Food & Beverage Operation with Drive-through service in the C1 Commercial District

Lori Lishan introduced herself and her husband, Scott Lishan, as the Applicants and new owners of The Cabin.

**SHUMAKER** explained the Planning Commission is acting as a quasi-judicial agent and

the State of Washington has an Appearance of Fairness Doctrine which requires the Commission members to demonstrate fairness to the applicant and the public by declaring: any ex parte contact with applicants or any members of the public, financial interest or any other interest which would prevent you from acting in an unbiased manner in these public hearing proceedings. **SHUMAKER** asked Commission members to declare any Appearance of Fairness Disclosures. No Commission members had Appearance of Fairness disclosures. **SHUMAKER** then asked the applicants if they had any challenges to the Commission members Appearance of Fairness disclosures. Neither the Applicants or any members of the public in attendance had any challenges to the disclosures.

**SHUMAKER** introduced the proposal for the transfer of ownership, and existing Conditional Use Permit, for a drive-thru food and beverage service, (The Cabin). He explained the Applicants (Lori & Scott Lishan) have entered into a purchase agreement for the purchase of The Cabin, from the previous owners, Sciacca. **ANDERSON** inquired if the application was for a new permit or renewal of the current permit. **SHUMAKER** clarified Conditional Use Permit rules and confirmed this is a new application with minor changes to the previous permit.

**ANDERSON** opened the Public Hearing at 6:11 PM to allow any public comments on the application.

**Repar** commented she wishes the applicants luck with their new venture.

**K. Lucas** commented he appreciates The Cabin as a gateway business as an inviting entrance to the East end of Stevenson.

**FORD** inquired if the permit provided for the same structure, business or building and if any changes were planned? **S. Lishan** answered the business is the same and they are hoping to add a 6'x10' utility deck/patio to provide some storage and customer seating but no other large changes.

**SHUMAKER** summarized the 10 Findings of Facts for Commission members to make and 5 conditions related to the Conditional Use Permit application.

**ANDERSON** closed the Public Hearing at 6:14 PM.

**VRH** inquired if there are no changes requested, why are owners seeking new permit and not transferring previous permit. **SHUMAKER** answered the previous permit did not allow for its transfer, but that the Planning Commission has the authority to allow that in the future. **VRH** questioned asked how new owners are made aware of existing Conditional Use Permits. **FORD** inquired if the Conditional Use Permits are recorded. **SHUMAKER** said they are not recorded and title companies would not put new owners on notice of existing Conditional Use Permits.

There was general discussion about the need and purpose of recording Conditional Use Permits. **ANDERSON** suggested to move ahead on this application, to add it as a provision of the permit.

**SVP** moved to add a 6th condition that staff record this CUP2016-01 with the County auditor. **VHR** seconded the motion. Unanimously approved.

**SVP** moved to approve CUP 2016-01 subject to the 6 conditions of approval. **Ford** seconded. Unanimously approved.

## **OLD BUSINESS**

### **5. Zoning Code Amendment: Farm Animals**

**SHUMAKER** reviewed the discussion and decision by City Council, to send the code amendment back to Planning Commission for additional refinement and repeated the City Council members desire to be more restrictive of Farm Animals. He introduced the Council's suggestion of including a minimum 'usable space' provision for animals. **ANDERSON** further explained City Council's intent to make sure animals had adequate usable space in the event some portion of the lot is unusable (i.e. under water, rocky cliffside, etc). **ANDERSON** also presented the Council's suggestion of existing Environmental Protection Agency (EPA) rules which already provide setbacks from water wells and streams. **SHUMAKER** discussed the points to consider in calculating 'usable space' and enforcement of the new language. He reviewed the pro's and con's of both, permit or nuisance enforcement approaches. There was general discussion about permit process and nuisance enforcement paths. **ANDERSON** asked if barn space would be included in the calculation/definition. **SHUMAKER** confirmed it should be.

**ANDERSON** questioned if citing existing EPA language regarding streams and wells solves of the problem of animals near waterways. **SHUMAKER** confirmed this is a viable option. **ANDERSON** suggested, if added, any definition of adequate space would be incorporated into category of Animal Wellbeing, as a means to avoid a permit system and then also suggested including language stating 'subject to EPA guidelines' in addressing animal waste near waterways. **ANDERSON** also reminded those in attendance how pigs continue to be a topic raised throughout these discussions and should be addressed. He then opened the floor to public comments on the topic at 6:37 PM.

**Haight** commented he is supportive of most of the changes the Planning Commission has made but does not favor any permitting processing. He prefers keeping the 1 acre minimum lot size but urges fewer allowable full size animals (aka Large Farm Animals - cow, horse, etc) and wants to see language clarifying the equivalencies between large farm animals and smaller farm animals. He also commented he supports inclusion of the

accessory use provision.

**B. Ledesma** commented her son keeps 3 pigs on their property and added when they purchased the property in 1999, the existing 50'x60' barn housed 27 horses, as well as pigs on the property. They purchased the 1.1 acres with intention to use the barn. She added the pigs are 4-H pigs which are only on the property from April through August. She added her son works very hard to keep proper care of his animals, which is why she is fighting for him being able to keep the pigs on the property.

**J. Ledesma** commented the proposed provisions are good ones and acknowledges the difficult position of the Planning Commission and City Council members. He added, he owns 2 properties and is on both properties every day. He further explained the reasons for keeping 3 pigs and the actions taken to remove the pigs from the property when they are not able to go to the Fair Market. He reiterated how his son does all the work to care for the pigs and pays for all of their feed and care. **J. Ledesma** summarized by saying he wanted to speak to the Planning Commission today to paint a full and accurate picture of the situation.

**R. Lucas** commented she had done research on controlling large animal smells and shared her findings with the Ledesmas, adding no neighbors have complained about their ponies in over 10 years. She also commented she prefers a limit of 3 large animals to a 1 acre lot so they could keep both of their ponies.

**Repar** commented the Department of Ecology's 100' buffer around water sources is not optional. She believes usable space is a good idea but feels most animal owners how to care for their animals properly and believes people should be given the benefit of the doubt on having done research on the animals they want to keep. She added the animal equivalent definition needs more work and existing setback should apply.

**Haight** commented on well setbacks and discussed calculations based on current regulations and commented how wells positioned close to property lines may impact neighbors whose property falls inside those established setbacks.

**K. Lucas** commented how they attended the previous Planning Commission meeting and asked their neighbors to attend the City Council to voice their support for being able to keep their ponies. They have contacted all of their neighbors and have had no problems in over 10 years ago. He added he favors the 1 acre minimum and agrees with establishing animal unit equivalents. He further commented the addition of usable space. They do have a seasonal stream on the property and have been praised by their conservation district, for their handling of their run-off and animal waste. He added he is in favor of keeping the grandfathering clause.

**J. Ledesma** added a comment on how their family has no conflicts with any neighbors, except one, which is the one who made the complaints about their pigs to the City. He

added this neighbor has complained about many activities and cited examples.

**Hendricks** commented on his perspective from the previous City Council meeting and explained he felt the Council sent the item back to the Planning Commission in response to the complaints of one very vocal member of the neighborhood. He added the complainant objects to pigs, in any form, in city limits.

**B. Ledesma** reported they have had other incidents with the complaining neighbor, not related to the pigs. She added the complaining neighbor is a renter, and no other previous tenants had ever complained about their property and as a result of the continued issues with this neighbor, they have constructed a \$5,000 fence to separate themselves.

**Repar** commented she didn't feel it was appropriate to discuss neighbor problems and discussion should be kept relevant to resolving the farm animal issue.

**ANDERSON** thanked the audience for their participation and reiterated his support for keeping the 1 acre minimum, including the grandfathering clause and he feels the permit system is overkill. He added he didn't feel the need to specifically exclude pigs from the allowable farm animals.

**Hendricks** questioned if the grandfathering clause applies to the owner, the animal(s) or the property. **SHUMAKER** commented it is mostly staff discretion since there is no clear rules if the animal use is abandoned for X number of years - they are no longer allowed under the grandfathering clause. **Hendricks** clarified his understanding that the grandfathering clause applies to the property. **SHUMAKER** explained several methods to address the topic in the future.

**ANDERSON** asked Commission members for additional feedback. **SHUMAKER** urged Commission members to keep their work from making policies based on personalities or to address single cases and consider the best path forward for the future of the City of Stevenson.

**SVP** inquired about who was responsible for calculating usable space and adding those changes creates administrative problems later. **VHR** commented usable space is subjective to the animals because some animals prefer terrain which might be unusable for others, ex. Rocky cliff-sides, etc. There was continued general discussion about the inclusion of the definition of usable space into the zoning code amendment.

**ANDERSON** polled the Commission members:

All in favor of keeping 1 acre minimum lot size: 4 Yes, unanimous

All in favor of keeping the Grandfathering clause: 4 Yes, unanimous

All in favor of including a permit system: 0 Ayes, 4 No

All in favor of including language requiring Accessory Use: No vote.

**VHR** asked for the definition of Accessory Use. **SHUMAKER** reiterated the definition of Accessory Use and gave a few examples of what would qualify as Accessory Use. **SVP** confirmed the intention of including the language as a means of preventing vacant properties from being used to raise animals. **SHUMAKER** confirmed this as the intended action. There was additional general discussion about the intention of including Accessory Use restrictions, alternative language proposals, administration and enforcement.

**SHUMAKER** asked if Commission members wanted to make any changes to the zoning code amendment. **ANDERSON** commented the inclusion of animal units maybe but otherwise no Commission members wanted to make substantive changes before sending it back to City Council for final action. Hendricks commented how the Planning Commission has enjoyed a very different public feedback than City Council has.

**ANDERSON** confirmed the amount of time and work committed to this topic and his desire to have a final ordinance adopted. He suggested staff fine-tune the language regarding animal units. **SVP** suggested citing existing language used by the USDA. **SHUMAKER** responded by explaining the difficulty in interpreting the USDA standards to the public. He then suggested it may be easier to create a new category (ex. “Smelly farm animals”) and limit the number of those animals. **ANDERSON** located and read an excerpt from USDA Animal Unit Calculations...”A cow dry at 1,000 lbs is .85, a 1,000 lb. cow with a calf to 6 months is 1.0, a cow at 1,100 lbs with a calf up to 4 months is 1.1...” and listed several of the animals included on the list, noting Alpacas were not on the list. There was general consensus the language used by the USDA was too difficult to include.

There was additional general discussion about water source setbacks, existing Department of Ecology restrictions regarding water source setbacks and local code enforcement. **VHR** commented it may be easier to cite Department of Ecology regulations. **ANDERSON** confirmed the Commission members have made no changes to the amendment City Council sent back. **SHUMAKER** confirmed this topic will not return to the Planning Commission. and committed to resolving any lingering points at the City Council level.

**Haight** inquired if City Council can adopt any amendments they want and **SHUMAKER** confirmed it is within their power.

**ANDERSON** motioned to send the Farm Animal Zoning Code Amendment, as presented with no changes, back to City Council for approval. **FORD** seconded. 4 Ayes, unanimous approval.

6. **Zoning Code Reformat** \_\_\_\_\_ **SHUMAKER** introduced the categories of Use-based code, form-based and procedural \_\_\_\_\_. He gave examples of each category and explained how these changes are intended to direct people in way-finding and

organizing where decisions are located. He then explained the chapters; titles are chosen based on the text of the Comp Plan and all the regulations complement the Comp Plan. He added there will need to be a new chapter to explain the categories, uses and definitions for the lay-person. He commented there will be a amendment to the zoning district and boundary definition and a change to the Conditional use chapter to clarify the Conditional Use process. Additionally **SHUMAKER** discussed the Dimensional Standards and how they will be clarified in the new draft with the intention to make the information more accessible to all. **SHUMAKER** requested the Commission members make 1 policy change to allow more permissive language in regards to zone transition area inside the Commercial District. The change will reduce 1 setback by 5 feet. He also noted a language change in regards to the allowable height of a building in the Commercial district to remove the word ‘story’ and refer only to the 50’ limit.

**ANDERSON** praised **SHUMAKER** for the work he’s done on this project. There was additional general discussion about other zone and reformat changes and said he would have an updated draft to present at the next Planning Commission meeting.

**Repar** inquired where the revised setback will be affected. **SHUMAKER** read the current language and recited the replacement language.

**VRH** inquired where the topic of Tiny Houses will be addressed as the trend takes hold. **SHUMAKER** explained Tiny Homes are currently considered mobile and/or modular homes and subject to established regulations and discussed which agencies regulate the rules and their considerations in making the State code. There was general discussion about Tiny Home definitions, enforcement considerations, construction requirements regarding infrastructure and utilities and **SHUMAKER** cited examples of current code and how Tiny Homes fit in.

7. **Downtown Plans** **SHUMAKER** explained the purpose of the review of past Downtown Surveys/Studies and presented a proposed Scope of Work to the City Council and they have not taken up the proposal or tasked staff with developing a Downtown Plan. From the assignment to review the old documents, **ANDERSON** presented his take-aways from the 1975 survey he reviewed and commented parking and traffic in the downtown area was already identified as problematic along 1st and 2nd Streets; the timber industry accounted for over 60% of jobs in the County and the rise in jobs in the County was directly related to the growth of the timber industry; the idea to use 1st and 2nd Streets as one-way couplets was addressed. He also noted the idea for an aerial tramway idea in Cascade Locks was mentioned in the document. No other members had read the historical documents. **SHUMAKER** repeated the intention of the exercise was to inform the Commission members of the work and ideas of the past to better inform the decisions which affect the future of Stevenson, and also training.

8. **Staff & Commission Reports** **SHUMAKER** announced an annexation proposal before City Council and the Commission may expect to see the application to

determine how to zone the area if annexed into the City. He added the proposal annexation application originally included 7 lots on Bone Road and City Council increased the number to 10, to include lots on Bone Rd. and Guide Meridian area. He added, in the past infrastructure improvements have not been tied to annexation proposals but City Council has tied some infrastructure requirements before lots can be divided.

**VHR** asked for clarification of the annexation process. **SHUMAKER** explained the 2 step process. He went on to explain 10% of property owners in an area can notify City Council they want to be annexed into City; City Council has the opportunity to modify annexation area, decide the new areas zoning recommendations and determine if the property owners are willing to take on existing City debt and which then allows 2nd step, a petition for annexation where 60% of proposed property owners must agree to be annexed. There was general discussion about how zoning is determined and different annexation scenarios.

**Repar** inquired if other property owners will know what they're agreeing to. **SHUMAKER** explained a notice has been sent to affected property owners and an informational meeting will be held to address any questions and/or concerns.

The General Sewer and Water Plant updates are currently being done. **SHUMAKER** explained how the City sewer and water plants are already operating at current max load levels and require significant improvements, in order to be able to serve newly annexed areas. He added the growth will require the Commission to make some policy decisions on how to extend infrastructure and utilities to expanding neighborhoods.

**SHUMAKER** presented a handout on signage standards for the EDC and SBA to distribute to new business owners. He also noted only 1 empty storefront means the recession is over and signage issues will come up as new business owners update their storefronts.

**VHR** commented she wants to talk more about annexation at the next Planning Commission meeting to understand more about process, pros/cons, the impacts on annexed landowners and the max capacity of the sewer/water system. **SHUMAKER** confirmed he will bring additional information at the next meeting. **FORD** added previous annexation requests are typically driven by the desire to have access to City water. **SHUMAKER** explained how future growth outside of City limits will eventually force a process of planning future sewer/water plant expansions to accommodate increasing population.

**ANDERSON** gave an update on the SBA's Downtown Revitalization Committee, the Non-Profit designation has been filed, consultant hired and mission statement completed, and downtown boundaries have been defined. He added the next meeting will address the committees by-laws. It is hoped the group will be an operating committee by August. **ANDERSON** then gave an update on the Plaza park projects and the next step is to

identify and hire a consultant who is familiar with similar projects to calculate cost projections to begin grantwriting. BNSF donated \$50K to get the project going. **SHUMAKER** suggested the committees challenge may be keeping the project moving with public support and without highlighting costs which might deter the project.

**SVP** reported on the progress of his 2nd Street storefront - anticipated soft open in 2 weeks, grand opening in about 4 weeks.

**Repar** commented the Stevenson Community Garden has started a Facebook page and urged Commission members to Like the page. The Community Garden project is growing food for the Senior food programs.

**ANDERSON** announced the last Eagles breakfast for the 2015-16 season on Fathers Day - Dads Eat Free.

**10. PERMIT UPDATE** (Discussion occurred after public comment period and before public hearing) **SHUMAKER** commented on building permit activity. He reported last year there was 1 fewer permit issued than the previous 4 years combined and the current number is keeping pace with that trend. He commented existing housing stock is selling quickly and the City can expect increasing numbers of building permit applications as a result.

**ANDERSON** inquired about the status of the Chinidere development. **SHUMAKER** reported they are working on Phase I Plat approval submission, including additional waterline infrastructure that the developers are working hard to get done before WSDOT repaves Highway 14. **SHUMAKER** reported no activity on Sunstone Development with 3 years remaining on the preliminary plat approval. He added that the 2 Hidden Ridge short plats were approved and are viable lots for new construction.

**Adjournment - 8:40 PM**

Approved \_\_\_\_\_; Approved as Amended \_\_\_\_\_

\_\_\_\_\_  
Scott Anderson, Chair  
Minutes by Jennifer Anderson

Date: