



Planning Commission Meeting Minutes

1 A meeting of the Okanogan County Planning Commission was held December 16th, 2015 at 7:00
2 PM. The meeting was held in the Okanogan County Commissioners Hearing Room, 123 5th Ave.
3 N., Okanogan, Washington.

4 **PLANNING COMMISSION MEMBERS** present included: Chair Albert Roberts, Vice Chair Phil
5 Dart, Commission Member Dave Schulz, Commission Member Mark Miller, Commission Member
6 Marlene Rawley, and Commission Member Tamara Porter.

7 **OKANOGAN COUNTY STAFF MEMBERS** present included: Director of Planning Perry Huston,
8 Senior Planner Ben Rough, Planner I Anna Randall and Lauren Davidson Administrative
9 Secretary.

10 **OTHERS IN ATTENDANCE:**

11 **Approval of December 16, 2015 meeting agenda**

12 Chair Roberts moved to approve of December 16, 2015 meeting agenda with the addition to
13 adding the Voluntary Stewardship Program, seconded by Vice Chair Dart.

14 **Approve October 26, 2015 Planning Commission Minutes**

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16 Vice chair Dart moved to approve October 26, 2015 minutes, Commission Member Schulz
17 seconded.

18 Director Huston discussed the future schedule, while making an emphasis on reviewing the map
19 during the meeting on January 11, 2016. Commission Member Rawley stated that she had some
20 questions regarding the areas with water being zoned properly, and that there were some issues
21 with the water and wanted answers and updates regarding those. Director Huston addressed
22 Commission Member Rawley's concerns stating that he is aware of the water issues and had
23 anticipated those all along, that there is still some fine tuning to be done. Commission Member
24 Dave Schulz then asked Director Huston where they were standing on the Cluster Ordinance.
25 Director Huston stated that Senior Planner Ben Rough did have a draft of the Cluster Ordinance
26 and that could be provided for review, it was however a draft and not close to being finalized and
27 adopted.

28 **Old Business**

- 29 • Discussion on Zone Code amendment process
30 ○ "Zoning OCC Title 17A" Code Amendment 2015-1

31 Senior Planner Rough stated that the interim zone code and interim zone map is a good starting
32 point. Repeal Title 17 and adopt Title 17 A due to so many revisions being made. Commission
33 Member Dave Schulz expressed his concerns regarding the number system of the zone map;
34 more specifically number 7 and number 8 should be switched around to make it easier for the
35 public to use. Vice Chair Dart agreed that numbers 7 and 8 should be switched around, however
36 he saw no issues with how the other zones were numbered. Senior Planner Rough explained that
37 the number system is the way that it is because of the way the zones are geographically
38 connected. Commission Member Rawley stated that the way the map was numbered was similar
39 to the numbering on the county roads map, but that it should be easier for the public to
40 understand. Commission Member Rawley also explained that on the county road maps it has
41 notations on all four sides telling the user what page to turn to making it easier to use. Senior
42 Planner Rough stated that he could make those changes to the map. Vice Chair Dart also brought
43 up the issues with the colors on the maps and how they look similar to each other. Senior Planner
44 Rough stated he had seen the issues with the colors and is aware of them.

45 Senior Planner Rough explained that there has been renumbering of chapters and sections. One
46 of the main reasons for this is that there was not a lot of room between chapters and sections so if
47 something needed to be added in there was nowhere to put it.

48 The Definitions chapter has been added and modified; issues have come up in the past with the
49 public asking questions and clarifications. Each item in the district use chart has been backed up
50 by a definition. The current code doesn't have a definition for approximately 75% of the items.

51 The district use chart has been modified. It currently has things such as prohibited uses, planned
52 development, binding site plans, and other things that do not belong on a district use chart. Now, it
53 only has things such as permitted and conditional uses or its blank and that indicates it is not
54 permitted. Commission Member Schulz stated that he agrees with the need for a Conditional Use
55 Permit being used in a Marijuana Operation. Commission Member Schulz also explained that the
56 neighbors of a Marijuana Operation could weigh in on the operation and the issues surrounding
57 such an operation such as the high fences, and motion lights that come on all hours of the night.
58 There was discussion regarding the current Marijuana Operations that are currently legal possibly
59 becoming illegal due to the new zone codes and need to apply for a Conditional Use Permit.
60 Director Huston stated that in his whole time being here there has not been an Conditional Use
61 Permit denied, and the only reason it would happen is if there was no way to condition the use of
62 the land to make it doable for a Marijuana Operation. Vice Chair Dart asked for clarifications for the
63 reasoning behind making a Marijuana Operation obtain a CUP and if the reasoning behind it was
64 because there are still many people who are against Marijuana being legalized. Director Huston
65 stated that it was because there are a few operations that have slid themselves into a residential
66 neighborhood and have not done a good job of being a good neighbor. The CUP would make it so
67 that the operations would be operating in a location that is appropriate for them. Commission
68 Member Rawley stated that she believes that if we are to make them apply for a CUP that we need
69 to allow a minimum two years after the date of the adoption before implementing that. She also
70 stated that she believes the Planning Commission should really think about this and go over it
71 more in depth in the future. Vice Chair Dart asked Senior Planner Rough if the only agriculture is
72 down by Carlton. Senior Planner Rough explained that the only agriculture zone is down by
73 Carlton, but that agriculture is allowed in any zone.

74 Planned Unit Developments currently called planned developments will change the name back to
75 Planned Unit Developments. Senior Planner Rough also explained that he changed the regulation
76 from a definition and will now consist of three components, rezone, subdivision, and development

77 agreement. Commission Member Schulz asked how the cluster ordinance comes into play in
78 Planned Developments. Senior Planner Rough explained that the cluster ordinance and density
79 bonus regulations have been moved to the Cluster Land Division code and that the cluster
80 ordinance still has all the same components as it did before.

81 Senior Planner Rough asked if there were any questions regarding the Airport Zoning.
82 Commission Member Rawley asked about the requirements being the same for a private air field
83 as they are for an airport. Senior Planner Rough explained the requirements for a private air strip
84 being lesser than an actual airport. He also explained that with Airport Zoning there are height
85 requirements and clear zones and special regulations that go with and that these regulations only
86 apply to airports, that private air strips are not regulated by our Airport Safety Overlay. He also
87 stated that there will be two airport zones adopted, one of which is already on the books. In the
88 future there will be the opportunity to change how we regulate airports only if chosen to do so,
89 otherwise that section of code will not be used at all.

90 Nightly rentals are going to have their own section; there is a definition and a chapter specifically
91 for nightly rentals. There will be an amortization period of 5 years for existing nightly rentals.
92 Commission Member Schulz voiced his disagreement with this, stating that nightly rentals need to
93 have a UBI number and state license. Commission Member Schulz then explained how people are
94 advertising illegal nightly rentals online. Director Huston then explained that only the nightly rentals
95 that already exist and are operating legally can continue to operate. Commission Member Schulz
96 stated that the nightly rentals has been a problem for a long time and making it a January 1, 2021
97 issue is unacceptable, because the person running the nightly rental could be liable. Senior
98 Planner Rough then explained that the amortization period of 5 years is only for people who are
99 legally operating, not the people who are not legally operating. Director Huston explained the code
100 enforcement regarding nightly rentals and zone codes. Vice Chair Dart voiced his concern on the
101 lack of enforcement regarding code violations in general. Director Huston agreed and explained
102 that he has been working on code enforcement.

103 Home occupations chapter has been modified to allow people to conduct home occupations with
104 relaxed regulations. Square footage requirements have been modified and relaxed. Vice Chair
105 Dart asked for clarification if a Rancher is considered a home occupation. Director Huston
106 explained that agricultural work is not considered a home occupation.

107 The proposed change to Accessory Dwellings would allow second residence on any lot, except in
108 the Methow, as long as there are adequate provisions for a second residence. The new
109 regulations however would be a 50% rule, where if you have a house that is 4,000 square feet, the
110 accessory house would have to be no more than 2,000 square feet. Commission Member Rawley
111 asked for clarification on if the house would have to be demolished after the need for the house no
112 longer exists. Senior Planner Rough explained that it would not have to be removed.

113 The section on legal non-conforming has been changed to legal pre-existing due to the fact that
114 legal non-conforming is a term that has been tied up and used in court cases. The chapter has
115 also been modified to distinguish between use, lot, and structures. Abandonment provisions have
116 been expanded from 1 year to 3 years.

117 Conditional use permits and variances have been modified to read better and to better reflect our
118 current practices, but are procedurally the same. One change is that the Planning Director will be
119 authorized to approve variance applications for property line setbacks. Commission Member

120 Schulz discussed his concerns regarding how things will be handled if there were new Planning
121 Director.

122 Most of the Minimum Requirement zone district will be changed to Rural 1, 5, or 20. The Minimum
123 Requirement will only apply to the Colville Indian Reservation. Eastlake Oroville will be rezoned
124 from Rural 1, to Suburban Residential. Senior Planner Rough emphasized that agriculture will still
125 be permitted in the Suburban Residential zone. Commission Member Schulz voiced his concerns
126 against a Rural 1, because that would make the public think they only need one acre to build
127 houses on when in reality they would need more acreage. Vice Chair Dart said that he would like
128 to see Rural 1 turn into Rural 2 or even Rural 3 because Rural 1 seems unrealistic. Senior Planner
129 Rough then explained that unincorporated towns such as Malott, Loomis, Chesaw, Molson,
130 Wauconda, and Methow will be rezoned to Neighborhood Commercial. This rezone does not apply
131 to the Methow Valley area. There was some discussion regarding why the town of Havillah was
132 not added to the list of unincorporated towns. Senior Planner Rough explained that the reason he
133 left the town of Havillah out was because there is nothing commercial there.

134 Senior Planner Rough explained the changes to the Zone District Boundaries. One of the changes
135 will be to change the zone boundaries to property lines. Currently, zone boundaries do not follow
136 the property line which causes numerous properties to be split by multiple zones.

137 **New Business**

- 138 • Voluntary Stewardship Program

139 Director Huston explained that the commissioners got their letter Oct 23rd notifying them that
140 funding is available giving them 60 days to decide to accept the money or not. Right now they
141 have directed to prepare the documents as if they are going to stay in the program. A decision will
142 be made in the next week if they are going to accept or not.

143 Meeting dismissed

144 **Adjourn**

145 **SUMMARY OF MOTIONS**

146 Chair Roberts moved to approve of December 16, 2015 meeting agenda, seconded by Vice Chair
147 Dart

148 Vice chair Dart moved to approve October 26, 2015 minutes, Commission Member Schulz
149 seconded.

150

151 Prepared by Lauren Davidson
152 Administrative Secretary