

Lewis County Planning Commission

Public Meeting

In-Person & Virtual Meeting via Zoom

January 23, 2024 - Meeting Notes

Planning Commissioners Present: Lorie Spogen, District 1; Jason Alves, District 1; Gretchen Fritsch, District 3; Corbin Foster, AL; Frank Corbin, District 3; Bob Russell, District 2; Jeff Skutley, District 2

Staff Present: Mindy Brooks, Senior Long Range Planner; Megan Sathre, Office Assistant Senior; Lee Napier, Director of Community Development;

Materials Used:

- Agenda
- Draft Meeting Notes – January 9, 2024
- Staff Report: Rural Housing Alternative
- Staff Presentation: Rural Housing Alternative
- Density Handout

1. Zoom Guidelines

The clerk dispensed with the Zoom Guidelines.

2. Call to Order

A. Determination of a Quorum

7 Commissioners were present; there was a quorum.

3. Approval of Agenda

The Chair entertained a motion to approve the agenda as presented. Commissioner Russell made the motion to approve the agenda; second by Commissioner Spogen. The motion carried 6-0. Commissioner Fritsch was unable to vote due to technological errors.

4. Approval of Meeting Notes

The Chair entertained a motion to approve the meeting notes from January 9, 2024. Commissioner Alves made a motion to approve the notes as presented, second by

Commissioner Russell. The motion carried 6-0. Commissioner Fritsch was unable to vote due to technological errors.

5. Public Comment

Lisa Striendinger gave public comment sharing that she is a housing advocate and housing outreach provider, running a nonprofit called Friends Without Homes. She thanked the commissioners for their work on housing. She believes the Rural Housing Alternative is a great idea.

6. Workshop – Rural Housing Alternative

Mindy Brooks, Senior Long-Range Planner for Lewis County, and Eric Eisenberg, Housing & infrastructure Specialist for Lewis County gave a presentation on the Rural Housing Alternative (*see presentation for details*). The following questions and comments occurred throughout the presentation.

Commissioner Spogen asked, if there is a limit on how many RHAs can be built per year, how would someone interested in building be made aware if the maximum RHAs have already been built. Mindy responded that because the RHA would be new code, the county will need to establish how to implement it and would do so by working with all the county departments involved, as well as the public.

Commissioner Spogen asked if each unit would require its own septic system. Eric responded that that most likely each unit will need a separate tank and share a common drain field. However, this would ultimately be decided by a septic designer and Lewis County Environmental Health.

Commissioner Foster asked for clarification on subdivisions related to RHAs. Eric explained that in RDD zones there are minimum lot sizes. The subdivision law says that you cannot subdivide a property if the remaining parcels are less than that minimum. This will be the same for RHAs even though there may be multiple residences on a lot. Essentially, this requirement is there to establish that an RHA gets no special treatment – they must also follow the same subdivision laws. Mindy provided an example that if someone was in an RDD5 zone, which has a 5-acre minimum lot size, and the person owned a 10-acre lot, the property could be divided into two lots of 5 acres a piece. This is the same whether the property has an RHA or a single-family residence.

Commissioner Corbin asked if there will be a limit of the number of years, or a sunset provision, for allowing 5 RHAs per fire district per year. Eric responded that right now there is no sunset provision. The reason for this is that it would be a permitted activity, just like building a single-family residence. Mindy added that because this is so new and there's no data on the subject, the development regulations may need to be changed in the future and can be changed at any time.

Commissioner Corbin asked if each RHA would be taxed per parcel rather than per unit. Eric responded that in some scenarios that would be true, the property owner would pay the taxes on the property. However, there are avenues, such as condominiums, that would allow each unit to be taxed individually and the condominium association would pay taxes on the land.

Commissioner Russell expressed concern about the safety of having a single driveway used by multiple units, especially if they choose to have a longer driveway. Russell brought up potential fire safety issues and road approach issues. Eric responded that the development will still require road approach permits from Public Works as well as follow fire access requirements as enforced by the Building Department. The goal of having one driveway for three units is to eliminate the need to put in a private road for these types of development. Commissioner Spogen commented that other people who are subdividing in the county should be allowed to have a similar approach to road standards to save money. Spogen asked if RHAs have Public Works come out to assess the situation before deciding on road standards, why that isn't the case for all types of development. She expressed that this be considered because she believes not all subdivisions should require private roads. Mindy responded that with the RHA there is a lower standard for the number of houses on one lot. The approach will be reviewed by Public Works, the Building Official, and the fire department at the time of application. If it is a long driveway or if there is any kind of steepness, it may require private road standards for health and safety reasons. There is a lower potential driveway standard, but based on site-by-site decision making the standards may increase.

Commissioner Spogen asked how the county would enforce occupancy limitations and prohibit short-term rentals. Eric responded that the current building code only requires that a household have the number of people that the well and septic are designed to support. However, there is no further monitoring of that. There would be a similar approach to the RHAs, except that at least there would be a clear statement at the time of permitting that the units are not to be used as short term rentals. For enforcement of the short term rentals prohibition, it would likely come up only if someone complained to code enforcement, as is the case with other violations in the county. Mindy added that short-term rentals are taxed differently so it would be easy to track the taxing data. Short-term rentals will need to be defined in the code as well as added to the use table. Spogen brought up the ADU change in 2017 in terms of regulation as a comparison to how the RHAs may be regulated. Mindy responded that the ADU change was significant because if someone could not prove that they had a family member and a hardship, the ADU was an unusable building on their property. In the case of the RHA, if someone was using it as a short-term rental and the county informed them that they are not allowed to do that, they can still use the housing units for other purposes.

Commissioner Russell asked if the RHAs can be required to be near LAMIRDs or within a certain distance of city limits or if they will be county wide. Eric responded that RHAs are proposed to be allowed countywide with the only geographic constraints related to a certain number per fire district. Staff would be concerned about a system that ties RHAs to the areas near LAMIRDs or near urban areas. This is to prevent the impression that the county is trying to expand the

LAMIRDs as well as preventing "leapfrog development," which is where development occurs outside the Urban Growth Areas (UGAs) and causes problems for the cities trying to expand their UGAs. Commissioner Russell asked why there are no geographic constraints related to Packwood. Eric responded that because the county does not anticipate that this will be a highly pursued development type, they want to allow as many opportunities as possible for it, and limiting this development to once specific area will decrease the number of possible development sites. Mindy added that it is also important to have affordable housing in areas where there are rural jobs, such as farming and forestry, which are all throughout the county. Distributed RHA developments will allow for housing where it is needed.

Commissioner Skutley stated that the average single-family residence is 1,800 sq feet and an ADU can be up to 1,296 sq feet, which equals a total of 3,096 sq feet. Given this total, a person could add a third development of about 500 sq feet since the current RHA development standards have a max of 3,600 square feet. Skutley asked if the county is going through all this work just to add another 500 sq foot structure. Eric responded that the goal of the RHA is to encourage people to build smaller, more affordable homes. Under RHA, someone would likely not build a single-family residence as large as the average home size now. Rather, they might put four 900 sq foot homes on a parcel. The RHA increases the diversity of options for developing. Mindy added that the county did look at adding more units to a property as an RHA with an existing single-family residence, but typically the development is already too big. More likely, this will be done on a property with a small house or a new development on vacant land. Commissioner Russell suggested that instead of having a maximum of four units, reduce it to three units and let anyone build up to 3,600 square feet on any property rather than having the RHA. Only allow this on properties with an existing residence rather than having a new build. Russell believes this will help reduce any unintended consequences. Mindy responded that Russell's request is a different version of RHA than is proposed here.

Commissioner Skutley asked who would own the property. Eric responded that it could be owned in more than one way. The owner of the property could own all the units and rent them out or let family members live there. They could also have an approach where the land is owned in common, but the units are separately owned, such as condominiums.

Commissioner Fritsch stated that she believes the GMA is disallowing affordable housing in rural areas. It is creating a situation where only the wealthy can live in rural areas and people who work in rural areas cannot afford to live there. If we only allow one single-family residence and ADU to be built on rural lands that have a higher capacity for housing, then we are going to continually price out the people that live and work in rural communities. Commerce is requiring that counties remove barriers to affordable housing and the RHA is a creative way to do so.

Commissioner Corbin supports the current draft of the RHA and believes it will support affordable housing in several ways.

Commissioner Alves wishes that the RHA would change how affordable housing will be but does not believe that it is realistic. The Planning Commission is trying to solve a problem that is complicated and that we have very little control over.

Staff acknowledged that there is disagreement about the proposal and suggested that the Planning Commission move forward. It will be more beneficial to hear testimony from the public and then forward on a letter of transmittal to the Board of County Commissioners. In the letter of transmittal, the commissioners can describe what they do or do not like about the proposal and their recommendations to the BOCC, even if the opinions are varying. Mindy encouraged the commissioners to reach out to staff if they would like to meet and discuss certain topics and ask questions before the Public Hearing.

Commissioner Russell noted that he will not be in attendance on February 27 for the hearing. The commissioners discussed changing the date to March 12, but decided to retain the February 27th date. Commissioners cannot vote by proxy, but Commissioner Russell may submit a comment to be read into the record during deliberations prior to the vote. Russell said he is ok with this approach.

7. Good of the Order:

A. Staff

Mindy shared that we are in legislative session and will update the Commission if there will be impacts to them. Commissioner Corbin commented about concerns relating to Climate Change and the Growth Management Act.

B. Planning Commissioners

Commissioner Russell shared his opportunity to go to Onalaska Middle School and teach in one of the science classes. He was very impressed with the students, the school, and their safety measures.

8. Calendar

The next meeting of the Planning Commission will occur on February 13, 2024, and the agenda items are a workshop on Private Road Naming and a Comprehensive Plan Update.

9. Adjourn

Commissioner Alves made a motion to adjourn. The meeting was adjourned at 8:02 p.m.