

**STEVENSON PLANNING COMMISSION MEETING MINUTES**  
**Monday, July 13, 2020**  
**6:00 PM**  
**Held Remotely**

**Attending:** Chair Valerie Hoy-Rhodehamel, Planning Commissioners Auguste Zettler, Mike Beck, Jeff Breckel.

**City Staff:** Community Development Director Ben Shumaker, City Administrator Leana Kinley

**Public attendees:** Craig Salveson, Mary Repar, Steve Minnis, Judith Morrison, Tabitha Allaway, Stephanie Guest, Erin Minnis, Scott Anderson, Brian McNamara, Monica Masco, Kelley O'Malley McKee

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PC Chair Hoy-Rhodehamel opened the meeting at 6:02 p.m. She conducted roll call to ensure a quorum was in place.

**Preliminary Matters**

1. Chair Described Public Comment Expectations for Remote Meeting

**PC Chair Hoy-Rhodehamel** asked everyone to identify themselves prior to offering comments and to keep comments to 5 minutes for less. **City Administrator Leana Kinley** explained the mute/unmute/request to speak options for attendees on the telephone.

2. Approval of Minutes from June 8th, 2020 Planning Commission Meeting

**MOTION** to approve the June 8th, 2020 Planning Commission minutes was made by **Commissioner Beck** with a second by **Commissioner Breckel**. **Commissioner Beck** noted a spelling correction on page 3 for the term 'parcelization'.

- Voting aye: **Commissioners Beck, Breckel, Hoy-Rhodehamel, Zettler**
- Voting nay: None.

3. Public Comment Period (For items not located elsewhere on the agenda)

>Mary Repar spoke about her desire to have fireworks banned in Stevenson. She pointed to a small fire on Vancouver Avenue ignited by fireworks during the 4th of July and the emotional stress some veterans and many animals experience due to fireworks. **Community Development Director Shumaker** stated the PC could discuss the issue, but there is nothing applicable under zoning. Mary stated she would research other community ordinances banning fireworks.

**New Business**

**4. Public Hearing @ 6:05 Conditional Use Permit 2020-01 Stevenson Church of the Nazarene**

**a. Review Purpose of Meeting**

To review project and determine whether to grant or deny a permit.

**Community Development Director Shumaker** related this was an instance where the PC takes action on these types of applications.

**b. Appearance of Fairness Disclosures**

**Community Development Director Shumaker** explained the purpose for Appearance of Fairness Disclosures. It is to ensure fairness and impartiality in the decision making of the Planning Commission. Each Commissioner was asked to disclose any financial interest in the project's outcome, if the proposal would benefit them or cause them to lose income, and if they had participated in any ex-parte communication with anyone regarding the proposal, for or against. Challenges by an applicant can be brought forth if there is any perceived conflict of interest by Commissioners.

Each Commissioner was asked in turn regarding their ability to provide a fair and impartial decision. All reported no issues or communications that would an appearance of fairness disclosure. There were no challenges to the Commissioners' ability to act on the proposal.

#### **c. Presentation by Staff**

**Community Development Director Shumaker** pointed to his staff report that had the application as an attachment. He briefly explained the history of the building and the application to re-establish its use as a church. Issues to consider include parking, ADA accessibility, sidewalks, overhead utilities, the current gravel driveway and affordable housing.

**Commissioner Beck** requested an explanation to reiterate the public-stay-at-home orders that conflict with the Open Public Meetings Act. **City Administrator Leana Kinley** noted Governor Inslee's proclamation #20-28 provided guidelines regarding meetings. The City of Stevenson has decided to maintain remote meetings due to recent increases in COVID-19 caseloads in Skamania County.

#### **d. Presentation by Applicant**

Steve Minnis, Pastor of The Bridge Community Church, read a statement regarding the current work the church does locally. They are looking to increase their community service and outreach. Craig Salvesen answered a question from **Commissioner Beck** if submitted drawings of the church and parsonage show the entire property as a way to determine parking suitability. **PC Chair Hoy-Rhodehamel** asked if Internet service was available for the community programs planned. Pastor Minnis agreed high-speed connections would be beneficial, especially for youth.

For those phoning in, **Community Development Director Shumaker** listed and further described the specific decision points the PC needs to address:

- Consider proposal as a new use or re-use of building as it applies to siting and number of parking spaces, and if the parking would be in harmony with the neighborhood.
- Decide if the recommended "wait-and-see" approach from Public Works on the project's gravel driveways was appropriate. As a conditional use permit, there is a future review period whereby the project will be assessed for impacts, subject to additional conditions if needed.
- Decide if project would negatively impact public accessibility at the Jefferson/McKinley Street intersection, and if so, would installation of ADA crosswalks and sidewalk ramps relieve the impact. One challenge noted is the location of a storm drain, which would need moving to allow for ramp and crosswalk placement. The Commission was asked to consider if a "deferral of frontage improvements agreement" was acceptable to ensure the crosswalk installation occurs when appropriate.
- Consider project's effect on pedestrian usage in the neighborhood. If found to be negative, would a sidewalk extension address the impact? Would locating a sidewalk along the south side of Jefferson Street be an alternative? If not, would the Commission approve a "deferral of

frontage improvements agreement” to ensure the McKinley Street sidewalk extension takes place when appropriate?

- Determine if use of overhead service lines have unacceptable impacts on the neighborhood. If so, should underground service be required to reduce the development’s impact?
- Determine if project conflicts with the public’s need for affordably priced housing. If so, should it, or a portion of it, be denied? Devoting residential space to church could be a reason to deny permit.

#### **e. Public Hearing**

**Chair Hoy-Rhodehamel opened the public hearing regarding Conditional Use Permit 2020-01 Stevenson Church of the Nazarene at 6:09 p.m.**

#### **i. Comments**

>Mary Repar spoke in favor of the project. She noted it serves a good purpose. She stated it is consecrated ground and should remain a church. She approved of the plans for children's programs and shared having sidewalks would be good.

>Judith Morrison asked what the average attendance was for services. It was reported to be 35 people. She suggested 18 parking spaces would be enough. She said the church is talking with the Methodist church regarding shared parking.

> Stephanie Guest spoke about outreach to the community and voiced her support to have the PC approve the conditional use permit.

>Tabitha Allaway, worship leader at the church, spoke in favor of having the building available.

>Judith Morrison spoke in favor of connecting the sidewalks at the street corners.

>**Chair Hoy-Rhodehamel** asked for and received a description of the existing sidewalk layout.

#### **f. Commission Discussion**

The Commissioners entered into a substantial discussion on the project. All indicated the gravel driveway wait-and-see approach was acceptable, as was leaving the overhead utilities in place. The impact on affordable housing was deemed negligible, and Commissioners appreciated the additional resources the project would provide to the community.

The main topics of discussion focused on parking and potential sidewalk and crosswalk requirements. Questions about the project being considered a new use or a re-use of an existing property were discussed, as a new use determination would affect the parking requirements. It was agreed that substantial and costly improvements such as ADA ramps, storm drain relocation and sidewalk extensions were desirable, but would be best done when the city works on the neighborhood's improvement as a whole. **Commissioner Beck** pointed out The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that protects religious institutions from unduly burdensome or discriminatory land use regulations. **Commissioner Zettler** had questions on the parking and shared concerns about possible overflow parking on the east side of McKinley Street, where an existing culvert may not support the weight of a vehicle. He recommended a low barrier or some form of screening/fencing be installed.

Using Stevenson Elementary School for parking was suggested, as was being pro-active with neighboring churches. **Commissioner Beck** suggested signage indicating when services would be held.

**Chair Hoy-Rhodehamel** asked the applicants for further comments.

>Craig Salvesen stated he would like to get started ASAP and he asked for a special meeting rather than waiting until the August 2020 Planning Commission meeting for a decision.

>Mary Repar asked if Jefferson Ave. could be put on a street program for updating. Don't burden the church with renovation of streets and sidewalks.

>Steve Minnis appreciated ideas for improvements. They are willing to help make upgrades to neighborhood but need time to raise funds.

**Community Development Director Shumaker** advised he had no approval document with the language containing the changes discussed at the meeting, and suggested continuing the hearing. He stated he had a good understanding of what the Commission wanted for conditions for the permit.

**MOTION** to hold the public hearing open until July 20, 2020 in order to finalize the conditional use permit **2020-01** with specifics to approve or deny was made by **Commissioner Beck** with a second by **Commissioner Breckel**. The continuation will be held at 6 p.m.

- Voting aye: **Commissioners Zettler, Breckel, Beck and Hoy-Rhodehamel**
- Voting nay: None

**Commissioner Zettler** asked the applicants to address the curb area on McKinley.

**Chair Hoy-Rhodehamel** asked for photos to help visualize the storm drain issue.

**Community Development Director Shumaker** advised the continuation of the public hearing meant the appearance of fairness doctrine still holds, and conversations regarding the project should be avoided. He will prepare the draft approval documents.

#### **g. Decision**

Public Hearing continued until 7-20-2020 at 6:00pm (see motion above).

#### **Old Business**

#### **5. Public Hearing Zoning Code Amendments**

##### **a. Presentation of Materials by Staff**

**Community Development Director Shumaker** related to the Commissioners information regarding the amendments. He noted they had all seen the draft regulations at the April 2020 PC meeting. Due to COVID-19 restrictions further discussion was postponed. He pointed to a 3-page memo summarizing the proposed draft policy changes and briefly described the four categories.

1-Allow Townhomes-new allowance in R2 (two-family district) and C1 zones.

2- Prohibit New Single-Family Detached Dwellings, Manufactured Homes, and Modular Homes (One house on one lot). The following sub-categories of #2 were explained:

**2a-** Allow Continued Use of Existing Single-Family Dwellings

**2b-** Allow Home-Based Businesses to Continue Occupancy if Business Closes

**2c-** Addressing Reversion of Single-Family Dwellings once Changed to Commercial Usage

3- Ease Permitting for Certain Murals, avoid conditional use process, allow future installation without PC approval.

4- Accept and formalize codifying Zoning Interpretations that have been made:

- Allowing townhomes in commercial recreational (CR) district,
- Allowing cultural attractions in C1 district, applies to new museums as conditional use.

**Shumaker** explained conversations and public comments submitted from the City Council meetings in May and June have led to requests to modify the proposed zoning amendments. He pointed to the staff report with the information and the public comments.

**Commissioner Beck** requested an additional explanation to reiterate the public-stay-at-home orders that conflict with the Open Public Meetings Act. **City Administrator Leana Kinley** again noted Governor Inslee's proclamation #20-28 provided guidelines regarding meetings. The City of Stevenson has decided to maintain remote meetings due to recent increases in COVID-19 caseloads in Skamania County. The call-in option complies with the order.

No Appearance of Fairness Disclosure is needed, only for specific projects and applications. Policy recommendations do not require it.

#### **b. Public Hearing**

**The public hearing regarding the Zoning Code Amendment was opened at 7:18 p.m. by Chair Hoy-Rhodehamel**

#### **i. Comments**

Remote participants were reminded to use \*9 to indicate a wish to speak, \*6 to mute/unmute.

>Mary Repar expressed her opinion that mixed use is what we are. The rural look of Stevenson should remain. Businesses are not coming in. New buildings help look. She spoke of the city's Comprehensive Plan and its support of the rural character. Moratorium is wrong. Filled lots are better than empty lots and taxes are generated. Let residents do what they want with their property.

>Judith Morrison, spoke as a Stevenson business owner. She stated we need more C1 property downtown and was not in favor of a mish-mosh of looks. Needs to be cleaned up and 'turn-key' for investors. Rural tourism is experiential. Buildings and business need to be in place for a thriving downtown. There are lots of empty lots just outside city center for housing. Keep the city core for commercial use.

>Brian McNamara noted the city webpage does not have the current meeting packet or previous minutes of meetings. He wanted it to be in the record that the public couldn't read comments. In the current packet, 18-20 comments were included for the Planning Commission and he asked if the Commissioners had read all of them. He stated it was important to hear all voices. He noted Pat Price, a local contractor and business owner asked if his letter could be read. Clarification of letters received was made, with **Community Development Director Shumaker** explaining letters were placed in reverse order in the packet. He offered to read a second letter from Pat Price.

**Chair Hoy-Rhodehamel** requested Shumaker to address Brian's concerns re meeting packet. **Shumaker** explained the current meeting packet was sent to the Planning Commission members and a shareholders group that are on the PC mailing list. He noted over 50 community members were sent the packet. An additional comment from Barbara Robinson was sent to the PC today. He explained neither letter was supportive of any zoning changes.

>Brian McNamara spoke of two concerns he had regarding renewal of the moratorium on SFDD in the downtown area, and conversion/reversion of businesses to residences. He pointed to past comments expressed about lack of public input regarding the first moratorium and high costs associated with removing a residence and constructing a commercial building. He was appreciative of the PC's and **Shumaker's** outreach to property owners regarding the issues. Brian stated his belief the McCloskey property was an example of a forced phase-out. He spoke in favor of protecting and preserving property rights. He noted there may be higher insurance costs for SFDD owners if forced to rebuild under the provisions of the moratorium.

>Monica Masco has an accounting service located in her residence in Stevenson. She thanked **Shumaker** for his help in clearing up confusion about options presented by providing clarification in the one ordinance draft. Her concern regarded continuing to do what she does at the property she owns. **Shumaker** reiterated the draft ordinance allows existing home-based businesses to be legacy homes that happen to have a business, and allows the continuation of legacy home use if business use is discontinued. He also explained that at the direction of the Planning Commission the draft ordinance does say if a residence is converted to full commercial use then no future reversion to a residence/legacy homes would be permitted. He has language in the staff report that provides options for PC to consider that would allow restoration of residential use.

>**Scott Anderson, Mayor of Stevenson**, spoke about the misunderstandings regarding the moratorium. He emphasized the moratorium deals with no new SFDD construction in the downtown area. The intent is to shape the way downtown Stevenson grows in the future. The Stevenson City Council's recent retreat addressed proactive growth management.

He talked about the protection of downtown and the need to make it a resource. New residents will support local businesses. The Downtown Plan is for management, and the Planning Commission will be asked to consider what areas make up the downtown core. He noted the existing SFDD/ property owners have been tried and true and it would be unfair for the city to make decisions affecting changes in property usage. He has meetings planned with property owners and stressed that balance is important.

>Judith Morrison reminded everyone that Stevenson is the only true riverfront community in the Gorge. Stevenson will grow. Wants downtown and commercial property to be used to grow new rural businesses. Change will take place.

>Mary Repar commented that real people live in Stevenson and commercial property is not sacrosanct. She supports directing growth in an organic fashion so people continue to live here.

>Brian McNamara stated he understands the pro-development stance by some. Perhaps goal of some sort of retail may come back. Multiple rental properties are available. Some downtown property owners relate no interest in their rental sites. He spoke with two long-term large landowners and pointed out they have not constructed homes or commercial buildings in 20 years. He declared if prevented from re-building a SFDD on his property he would consider it a taking of property rights, which should be avoided.

>Kelley O'Malley-McKee, Executive Director, Stevenson Downtown Association spoke in favor in protecting existing owners rights to convert their properties from residential to commercial. Regarding any new ownership of building establishments in the downtown area, she is aligned with the view of Judith Morrison and Scott Anderson. She stated Stevenson should be prepared for new prospects while not turning backs on long time residents and business owners. She is a proponent of providing more entrepreneurial opportunities for local residents.

### **c. Commission Discussion**

The Commission agreed to address revisions to the murals, townhomes and cultural attraction first, then deal with the SFDD issues.

- **Allowance of Townhomes in R2/C1 zones.**

All agreed it was an appropriate change and supported the proposed language. Maintaining the height restriction in place for other structures was suggested by Commissioner Zettler.

**Community Development Director Shumaker** noted all residences are subject to 35' height requirement. **Chair Hoy-Rhodehamel** expressed appreciation for inclusion of the common terms used to describe townhomes.

- **Permitting of certain (Type 2) murals**

A question regarding what the permit process would look like was answered by **Community Development Director Shumaker**, who explained it would require zoning administrator approval, but would not be subject to review by the Planning Commission. All supported the proposed language.

- **Codifying Zoning Interpretation for Cultural Attractions.**

**Community Development Director Shumaker** summarized for the Commission two requests regarding the consideration of cultural attractions. One was for a museum in the downtown area and one was for interpretive kiosks. He provided a definition of a cultural attraction. The draft change keeps museums as conditional use subject to PC approval. All supported the proposed language clarifying the interpretations.

- **Prohibit New Single-Family Detached Dwellings, Manufactured Homes, and Modular Homes** The following sub-categories were considered.

**2a-** Allow Continued Use of Existing Single-Family Dwellings

**2b-** Allow Home-Based Businesses to Continue Occupancy if Business Closes

**2c-** Addressing Reversion of Single-Family Dwellings once Changed to Commercial Usage

The Commission then entered into a broad discussion on the policy changes regarding SFDD. Much of it focused on what changes in ownership would do concerning conversion of residences to commercial entities and how transitions would be managed. Basic protection of existing property owners and their investments was acknowledged as important. Understanding the long-term goal of Stevenson to encourage denser usage of downtown and preparing for future change was noted as well. Repeated conversions from residences to businesses were highlighted as a concern.

**Community Development Director Shumaker** requested Commissioners also consider expanding the time period providing protections for a "legacy home" and include more exemptions in the draft description of "legacy homes". The request is based on conversations with interested property owners. He also shared concerns raised regarding possible impacts the current moratorium may have regarding replacement of structures. He clarified a home-based business was one where an owner resided in the same dwelling as the business. **Commissioner Beck** shared it appeared the zoning code already addressed abandoned use and non-conforming use in sections 17.44.040 and 17.44.060.

**Chair Hoy-Rhodehamel** expressed concerns regarding unintended consequences for small businesses as her reason for opposing 2c. **Commissioner Zettler** offered under the code being considered installing a commercial kitchen in a home was not the same as converting a home to a retail commercial bakery and would be allowed under the legacy home definition.

Following further discussion the Planning Commission agreed via consensus to support recommending the City Council approve the zoning policy changes proposed (1, 2a, 2b, 3 and 4, see page 5) with the exception of the definition of legacy homes and the consideration of additional exemptions.

#### **d. Recommendation**

**MOTION** to advance zoning code amendments updating the trade district code to the Stevenson City Council for their consideration and approval, with the exception of 2c, and to defer the decision on 2c to the Stevenson City Council made by **Commissioner Beck** with a

second by **Commissioner Breckel**. **Breckel** expressed his reluctance, noting he would like to see it worked out by the Planning Commission. **Commissioner Zettler** pointed out the Commission was just sending the City Council their recommendations.

- Voting aye: **Hoy-Rhodehamel, Commissioners Zettler, Beck, Breckel**
- Voting nay: None

>Brian McNamara spoke. He appreciated the Commission regarding their work on the issues. He stated he felt the last line of 2c was problematic regarding exemptions and changes made by a homeowner, and requested the Planning Commission go deeper and table the 2c. Shumaker recounted the work the Commission had done and noted the issue was unresolved, but the City Council would make further decisions. Brian expressed there were nuances to the situation beyond what was discussed. Shumaker relayed the issue would go before the City Council as a public hearing in August 2020, which would leave time to develop a minority report to express any reservations by Commissioners.

### **Discussion**

No statements of interest yet from anyone concerning becoming a Commission member.

### **6. Staff & Commission Reports**

The Commission opted to wait to hear about the Rock Cove Hospitality Center, Public Tree Inventory & Management Plan, First Street Sidewalk & Overlook, Shoreline Master Program, Residential Building Capacity due to time constraints.

### **7. Thought of the Month**

Community-Submitted Topic: Walkability

[https://www.ted.com/talks/jeff\\_speck\\_the\\_walkable\\_city](https://www.ted.com/talks/jeff_speck_the_walkable_city)

Chair Hoy-Rhodehamel declared the meeting adjourned at 8:50 p.m.

**Minutes recorded by Johanna Roe**