



## City of Cashmere

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CASHMERE CITY PLANNING COMMISSION  
MONDAY, JANUARY 4, 2021  
5:00 P.M., VIRTUAL

### AGENDA

**DUE TO THE COVID-19 PANDEMIC AND THE GOVERNOR'S STAY AT HOME ORDER; PLANNING COMMISSION MEMBERS AND THE PUBLIC ARE REQUIRED TO CALL IN TO PARTICIPATE IN A VIRTUAL CONFERENCE PLANNING COMMISSION MEETING. PLEASE CALL IN 5 MINUTES PRIOR TO MEETING.**

To Join the Meeting Go To: <https://zoom.us>  
Meeting ID: 882 719 9871 Passcode: 788276  
Audio Only: PH# 1-(253)-215-8782

#### **CALL TO ORDER:**

#### **ATTENDANCE:**

#### **APPROVAL OF MINUTES:**

Approval of minutes from December 7, 2020 meeting.

#### **CORRESPONDENCE:**

#### **ANNOUNCEMENTS & INFORMATION:**

#### **BUSINESS ITEMS:**

1. Shoreline Master Plan
2. Accessory dwelling units
3. Short-term rentals
4. New members
5. Topics for next meeting

#### **ADJOURNMENT:**

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS  
**Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)**

MINUTES OF THE CASHMERE PLANNING COMMISSION MEETING  
MONDAY DECEMBER 7, 2020 5:00 PM VIA PHONE CONFERENCE

OPENING

Chairperson Esmond opened the meeting at 5:02 PM and Croci recorded the meeting minutes.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Board:	Kirk Esmond Charlie Cruickshank Rick Shorett	Maureen Lewison Matthew Walgren Paul Nelson

Staff: Director of Operations, Steve Croci  
Perteet Inc, Christina Wollman  
Mayor, Jim Fletcher  
Administrative Support, Tammy Miller

PUBLIC HEARING – SHORT TERM RENTALS

A public hearing started at 5:03 PM. Croci summarized the staff report indicating a short term rental is a residential dwelling unit, or portions thereof, that are rented to overnight guests for fewer than 30 consecutive days. Current city code does not regulate short term rentals. This zoning code amendment provides a definition and permits the use of a short term rental in the downtown business, commercial/light industrial, and warehouse industrial zones. Short term rentals within these zones must obtain a business license, provide contact information for a property representative, and provide off street parking.

With no questions or comments from public the hearing was closed at 5:13 PM. Written comments will be received until December 14. The Planning Commission (PC) will discuss comments received at the January 4, 2021 meeting.

PUBLIC HEARING – ACCESSORY DWELLING UNIT

A public hearing started at 5:14 PM. Croci summarized the staff report indicating an Accessory Dwelling Unit (ADU) is a separate living space either within a house or located on the same property as an existing house. The proposed changes include revising the definition of Accessory Dwelling and moving the current ADU requirements within CMC 17.72 Conditional Uses to a new section in CMC 17.5 General Regulations. Some changes have been made to the current regulations, including:

- ADUs will require a full or limited administrative review instead of a conditional use permit.
- ADUs will only need separate utility connections when feasible. If not feasible, the utility can be combined but will be charged as a duplex.
- Owners must file a restrictive covenant to ensure that all future property owners understand that one of the units must be the owner's primary residence.
- Parking requirement is clarified to be two off-street parking space.
- The design of the ADU shall be consistent with the design of the primary structure.
- An ADU may not be rented for a term of less than 30 days (short-term rental).

With no questions or comments from public the hearing was closed at 5:23 PM. Written comments will be received until December 14. The Planning Commission (PC) will discuss comments received at the January 4, 2021 meeting.

#### APPROVAL OF MINUTES

Minutes from the November 2, 2020 meeting were presented, and all present thought they were good. A quorum was not present for a vote to approve.

CORRESPONDENCE Nothing new to report.

ANNOUNCEMENT & INFORMATION Cruickshank initiated a discussion about seeking grants to help with extending utilities. Utility extensions would also provide some environmental benefits. Grant opportunities are expected to be more competitive due to funding reductions associated with addressing COVID. The City will continue to seek grants for improvements and extensions of utility services.

Rick Shorett is ending his involvement with the PC and was thanked for his years of service and contributions to the City!

#### AGENDA ITEMS

- 1) Shoreline Master Plan – Christina Wollman of Preteet Inc. discussed the status of the Shoreline Master Plan (SMP) update. The changes are only updates to the new rules and regulations required by the State. The wetland section has the most substantial changes. Draft material for review will be provided before the January meeting. At the January meeting a quorum is needed to adopt the draft SMP for public review.
- 2) New members – The PC currently has one vacant position and Rick Shorett’s term expires at the end of this year. He is not seeking reappointment. PC members are encouraged to spread the word of the vacancies. Interested people should contact the Mayor.
- 3) Topics for next meeting – Shoreline Master Plan update and adoption of draft for public review, addressing comments on short term rentals and accessory dwelling units, new member recruitment.

Meeting adjourned by 6:00 PM.

## Comments on ADU's – From Frank Spaun, Building Inspector & Tammy Miller, Administrative Assistant

After reading and discussing how we would enforce the proposed ordinance for ADU's, the following are recommendations:

### Section 3. Sec 17.18.020

- Add new definition of “**AP**” meaning Administrative Permit – use AP in the Use Chart for SF, SR, AR. (see Waterville's code attached)
- Use PRM for MF, - it makes no sense to add ADU's for MF zone when you can have multi buildings and families. (see attached 17.22.010 for MF in CMC)

### 17.58.160

- Remove “except accessory dwelling units within the single-family residential zoning district shall be subject to a full administrative review. ( Since ADU's is now defined there would be no need to do a full review, neighbors' comments wouldn't change requirements for the ADU to exist. This is extra work and steps for staff that's not necessary and could potentially turn homeowners from the permitting process.)
- H. “when feasible” – As the building department that will be overseeing the applications the word “feasible” is troubling and consistency in the decision is critical. The thought right now is if they had a preexisting structure (i.e., garage) that had utilities previously installed then they wouldn't have to have a separate connection but would be charged System Development fees and monthly at the Duplex fee.
- Every ADU will be required to pay System Development fees regardless of tapping into the main line.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON; REVISING AND ADDING PROVISIONS TO TITLE 17 OF THE CASHMERE MUNICIPAL CODE, REGULATING ACCESSORY DWELLING UNITS; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

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WHEREAS, the City Council and City Planning Commission have studied the issue of accessory dwelling units for several weeks; and

WHEREAS, the Planning Commission has held a public hearing to consider the amendments to Title 17 of the Cashmere Municipal Code as set forth in this Ordinance and recommends approval of this Ordinance to the City Council; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and concurs with the recommendation of the Planning Commission and finds that adoption of this Ordinance is in the best interest of public health, safety, and welfare of the citizens of the City of Cashmere; now therefore,

THE CITY COUNCIL OF THE CITY OF CASHMERE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The definition of "Accessory Dwelling" as set forth in Section 17.08.010 of the Cashmere Municipal Code is hereby repealed.

Section 2. A new definition of "Accessory Dwelling Unit" is hereby added to Section 17.08.010 of the Cashmere Municipal Code to read as follows:

"Accessory Dwelling Unit" means a separate dwelling unit integrated within or attached to a single-family dwelling, or one located as a detached accessory structure located on the same lot as a single-family dwelling.

Section 3. Section 17.18.020 of the Cashmere Municipal Code, the District Use Chart is hereby amended so the reference "AP" means Administrative Permit<sup>TM150</sup> and the existing reference to 'Accessory Dwelling' is changed to "Accessory Dwelling Unit" and the District Use Chart designations are amended to read as follows:

17.18.020 District Use Chart.

		SR	AR		P	DB	CILI	
Residential Uses								

Accessory Dwelling Unit	PRM AP	PRM AP	PRM AP	PRM <sup>[TM2]</sup> [TM3]				
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Section 4. A new Section 17.58.160 is hereby added to the Cashmere Municipal Code titled "Accessory Dwelling Units" to read as follows:

17.58.160 Accessory Dwelling Units

Accessory dwelling units, as defined in Chapter 17.08, shall be subject to a limited administrative review to determine that the following minimum criteria are met, ~~except accessory dwelling units within the single-family residential zoning district shall be subject to a full administrative review~~<sup>[TM4]</sup>:

~~A.~~ Only one accessory dwelling unit shall be allowed per building lot or home site in conjunction with a single-family structure, even if such structure is built on more than one platted lot.

~~B.A.~~ An accessory dwelling unit may be attached to, created within, or detached from a new or existing primary single-family dwelling unit.

~~C.~~ The property owner (which shall include the title holder or contract purchaser) shall occupy either the primary dwelling unit or the accessory dwelling unit as their permanent residence for at least six months of the year. ~~An annual ownership certification shall be required to document this condition is maintained.~~

Prior to issuance of a permit the property owner shall record a restrictive covenant with the Chelan County Auditor's office and provide a copy of the recorded covenant to the City. The recorded covenant shall identify the address and legal description of the property and state the following: the property owner resides in either the principal dwelling unit or the accessory dwelling unit for more than six months each year, that the owner will notify any prospective purchaser of the property of the limitations and requirements of this chapter, and that the City permit will be revoked if the accessory dwelling unit at any time fails to meet the requirements of this Section. The recorded document shall run with the land and bind all current and future property owner, and their successors.

~~D.B.~~ The accessory dwelling unit will require two off-street parking spaces, in addition to any off-street spaces required for the primary residential structure located on the property.

~~E.C.~~ The floor area for the accessory dwelling unit shall in no case exceed 900 square feet, nor be less than 300 square feet, and the accessory dwelling unit shall contain no more than

two bedrooms. Additionally, the square footage of the accessory dwelling unit shall be no more than 50 percent of the area of the primary single-family dwelling.

~~F.D.~~ An accessory dwelling unit, together with the primary single-family dwelling unit and other accessory buildings or structures located on the same lot, shall conform to all other provisions of this code, and no variance of yard setback or building lot coverage requirements will be granted.

~~G.E.~~ The accessory dwelling unit shall meet the minimum requirements of the International Building Code, International Fire Code, local health district and all other local, state and federal agencies.

~~H.F.~~ The accessory dwelling unit shall have separate utility connections when feasible<sup>[TMS]</sup>. If separate utility connections are not feasible the utilities will be charged as a duplex. In either case, the property owner, as shown on the Chelan County Assessor records, shall be responsible for ensuring the utility bills associated with both the primary dwelling unit and accessory dwelling unit are paid in a timely fashion. [The accessory dwelling unit will be required to pay system development fees regardless if tapping into the main line.](#)

I. Future subdivision shall require compliance with all applicable provisions of the City Code including, without limitation, minimum lot size and yard area requirements.

J. Conversions of accessory storage structures, including without limitation garages and carports, to accessory dwelling units shall only occur when that existing structure meets the required yard setbacks for a residence, including without limitation the rear and side yard requirements.

K. The design of the accessory dwelling unit shall be consistent with the design of the principal residential structure and shall maintain the style, appearance and character of the principal residential structure, and shall use matching materials, colors, window style, and comparable roof appearance.

L. An accessory dwelling unit may not be rented for a term of less than 30 days.

Section 5. Section 17.72.110 of the Cashmere Municipal Code setting forth minimum conditions for obtaining a Conditional Use Permit for an Accessory Dwelling Unit is hereby repealed.

Section 6. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

## Director of Operations

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**From:** Kuhta, Scott (COM) <scott.kuhta@commerce.wa.gov>  
**Sent:** Tuesday, December 15, 2020 9:07 AM  
**To:** Director of Operations  
**Subject:** ADU Ordinance - Commerce Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[External Email]

Hi Steve,

I have reviewed the staff report and proposed changes to Cashmere's ADU ordinance. We fully support the increase in flexibility by removing the CUP requirement and expanding the ADU option in single-family zones. We also support restricting ADUs from short-term housing by requiring a minimum 30-day rental time period. These changes are significant steps to increase housing options in a time of limited supply.

We encourage the City to consider removing the owner-occupied requirement and requiring an additional on-site parking space for ADUs. Both of these restrictions will limit incentive and additional flexibility, both of which are needed to incrementally increase housing supply.

We appreciate the good work represented in these amendments. Please let me know if I can provide any assistance as you move the code changes through the adoption process.

Best Regards,

Scott

**Scott Kuhta, AICP**

*Senior Planner, Growth Management Services*  
Local Government & Infrastructure Division  
Office and Mobile: 509-795-6884

**Washington State Department of Commerce**

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December 9, 2020

To Whom it May Concern:

This letter is a public comment to the Cashmere planning commission hearing December 7 regarding Short Term Rentals.

We are a husband and wife who currently live outside of city limits but within the Urban Growth area in suburban residential zoning.

We wholeheartedly agree that Short Term Rentals (STRs) should be carefully monitored, and that the majority of STRs should be located in commercial locations. Protection of residential neighborhood integrity is of utmost importance, and freestanding STRs do not belong in Cashmere's residential neighborhoods.

We would, however, like to propose that STRs be permitted in residential areas if the following conditions are met:

- The STR is located in an Additional Dwelling Unit (ADU) where the owner resides permanently on the property.
- The ADU complies with all city codes and is properly permitted.
- Mandatory quiet hours are posted and enforced between the hours of 9pm and 6am.
- The STR is restricted to a maximum of two vehicles at any given time.
- The STR's permit may be revoked for excessive noise or disruption to the neighbors.

If the planning commission does not want to allow an unlimited number of STRs in ADUs, we propose limiting the amount to STRs that have been operating since December 2020. This would serve to grandfather in existing STRs located in ADUs.

Carefully managed STRs, located in ADUs where property owners are present, are minimally disruptive to neighbors and a viable option for extra income for Cashmere residents.

Thank you for your consideration,

Paul & Megan Kinser