



## City of Cashmere

101 Woodring Street  
Cashmere, WA 98815  
Phone (509) 782-3513 Fax (509) 782-2840

CASHMERE CITY PLANNING COMMISSION  
MONDAY, MARCH 1, 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:**

#### **PUBLIC HEARING SHORELINE MASTER PLAN:**

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

Approval of minutes from February 1, 2021 meetings.

#### **CORRESPONDENCE:**

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

#### **BUSINESS ITEMS:**

1. Joint PC and Council meeting recap
2. Short-term rentals
3. Roadway standards
4. Parks Plan
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 FEBRUARY 1, 2021 5:00 PM VIA PHONE CONFERENCE

OPENING

The meeting began at 5:04 PM and Croci recorded the meeting minutes.

ATTENDANCE

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

Staff: Director of Operations, Steve Croci  
Perteet Inc, Christina Wollman

PUBLIC HEARING – SHORELINE MASTER PLAN

A public hearing started at 5:05 PM. Wollman explained this was to be a joint meeting with Washington Department of Ecology. Ecology was not able to prepare and announce for this hearing and will not be in attendance. The rescheduled joint hearing will be March 1. Ecology did provide comments regarding docks and some basic changes to the critical areas that Wollman incorporated into the SMP. With no questions or comments from public the hearing was closed at 5:10 PM.

APPROVAL OF MINUTES

Approval of the minutes from the November 4, December 7, 2020 and the January 4, 2021 meetings were motioned by Esmond, seconded by Cruickshank and approved by all 4-0.

CORRESPONDENCE Nothing new to report.

ANNOUNCEMENT & INFORMATION Paul Kinser was approved by City Council to be a member of the Planning Commission. Welcome Paul!

Some development may be happening on the Schmitt Orchard off Old Monitor Road next to Treetop and Bethlehem Construction (light industrial), in the orchard off Olive Street and near Kennedy Reservoir (single family residential), and on Pioneer Avenue near Cashmere Care Center (multifamily). The Chelan Douglas Port District also reported they have had a lot of interest in their property recently.

AGENDA ITEMS

- 1) Shoreline Master Plan – Joint hearing schedule for March 1 with Ecology.
- 2) Joint PC and Council meeting- Topics to discuss with City Council include Short term rentals and development standards for residential roads.
- 3) Accessory Dwelling Units – Esmond motioned, Maureen seconded and all approved (4-0) submitting ADU code changes to city council for consideration.

- 4) Short Term Rental – Lots of discussion around short term rentals (STR). PC would like to present the STR code as currently proposed at the joint meeting and get input from City Council. Extremely limited public input on the proposed STR code has been received. The proposed code only allows STR in business zones, not in residential zones. The PC sees some potential value in allowing STR in residential areas only if additional requirements can be met and enforced. Potential requirements include owner or designee being on premises during rental, quiet hours, business license which could be revoked if requirements are violated, adequate parking, occupancy limits to number of people per STR, limits to number of days rented per year, and/or controlling the total number of STR in residential areas. Exemptions with restrictions should be considered for existing STR in residential zones (grandfather clause). The goal is to protect affordable housing, maintain the existing “neighborhood feel” throughout Cashmere, allow for reasonable income-generating opportunities for property owners, and provide opportunity for visitors to experience Cashmere.
- 5) New members – The PC currently has one vacant position. PC members are encouraged to spread the word of the vacancy. Interested people should contact the Mayor.
- 6) Topics for next meeting – Shoreline Master Plan Public Hearing, addressing topics from joint hearing, short term rentals.

Meeting adjourned by 6:34 PM.



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Website [www.cityofcashmere.org](http://www.cityofcashmere.org)

### STAFF REPORT MEMORANDUM

Date: December 2, 2020  
To: City Planning Commission  
From: Steve Croci – Director of Operations  
RE: ZONING CODE REVISIONS – SHORT TERM RENTALS

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#### **A. Requested Action**

Adoption of amendments to Cashmere Municipal Code (CMC) to Title 17 Zoning for Short Term Rentals (definition, use chart, business license and parking requirements).

The Planning Commission is being asked to review, consider, and make a recommendation to the City Council to approve, approve in part or deny adoption of the proposed Zoning Code and Definition amendments relating to Short-term Rentals.

#### General Information

The topic was discussed during Planning Commission meetings in the summer and fall 2020.

Planning Commission hearing notification published on: November 25, 2020

Planning Commission hearing on: December 7, 2020

60-day State agency review: February 1, 2021

A short term rental is a residential dwelling unit, or portions thereof, that are rented to overnight guests for fewer than 30 consecutive days. Short term rentals are commonly known as vacation rentals, AirBnbs, and VRBOs.

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.

The proposed additions to the Cashmere Municipal Code are shown below.

A new definition is added to Section 17.08.010 to read as follows:

“Short Term Rental” means a residential dwelling unit, or portions thereof, that are rented to overnight guests for fewer than 30 consecutive days.

The District Use Chart set forth in Section 17.18.020 is amended to add “Short Term Rental” under “Commercial Uses” as set forth in the table below:

**17.18.020 District Use Chart.**

	SF	SR	AR	MF	P	DB	C/LI	WI
<b>Commercial Uses</b>								
<b>Short Term Rental</b>						PRM	PRM	PRM

A new Section 17.58.170 is added to read as follows:

**17.58.170 Short Term Rentals**

A. Where authorized pursuant to the District Use Chart set forth in Section 17.18.020, Short Term Rentals may operate provided they obtain a business license pursuant to Chapter 5.04 of the Cashmere Municipal Code, which license identifies a property representative by address, telephone number, and email address who will be available to respond to complaints and emergencies.

B. All Short Term Rentals shall maintain off street parking as required pursuant to the table set forth in Section 17.54.030 (B).

The off-street parking table set forth in Sub-Section (B) of Section 17.54.030 of the Cashmere Municipal Code is amended to add the following under the “Commercial” category in the table:

<b>Property Use</b>	<b>Required Parking Spaces</b>	
<b>Commercial</b>		
Short Term Rental	Per Dwelling Unit	1
	Plus for each bedroom over 2 bedrooms within each dwelling unit	1

**B. SEPA Environmental Review**

An Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS) was issued on December 9, 2020. The SEPA Checklist and DNS are included within the file of record and adopted by reference.

### **C. Code Review Criteria**

The Cashmere Comprehensive Plan identifies goals and policies which support protection of residential zones for residential uses and support commercial uses in commercial, business, and industrial zones.

- Protect existing residential neighborhoods from nonresidential activities. (Residential Goal 2)  
Staff Analysis: The proposed amendments limit short term rentals to the commercial and industrial zones, which protects residential neighborhoods.
- Land uses of a commercial or industrial nature shall not be established in residential areas. (Residential Policy 2-1)  
Staff Analysis: Short term rentals are of a commercial nature and the proposed amendments limits their use to commercial and industrial zones.
- Maintain and enhance a strong commercial core by encouraging commercial activities to develop in existing commercial locations where public roads/facilities and services have capacity to accommodate high volumes of traffic, parking, and other public needs. (Commercial Goal 1)  
Staff Analysis: The commercial core and other commercial and industrial zones provide the services and parking necessary to support short term rentals and has the capacity to accommodate potential increases in demand.
- Maintain existing zoning for commercial uses and protect existing developed commercial use properties from conversion to other uses. (Commercial Policy 1.3)  
Staff Analysis: Short term rentals are of a commercial nature and will not convert commercial properties to other uses.

### **D. Suggested Findings of Fact:**

1. Reviewing agencies and the general public were given an opportunity to comment on the proposed amendments.
2. The amendments are consistent with City of Cashmere's Title 14 Development Code Administration.
3. An Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS) was issued on December 9, 2020.
4. The City of Cashmere has adopted the City of Cashmere's Chelan County Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A.

5. The City of Cashmere's Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for the City of Cashmere and its Urban Growth Area. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
6. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
7. A public hearing date was published in the Cashmere Record on November 25 and December 2, 2020 for amendments.
8. On December 2, 2020 the City of Cashmere provided formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Cashmere Municipal Code and initiation of the 60 day review and comment periods.
9. On December 7, 2020, the City of Cashmere Planning Commission will conduct an advertised public hearing. The Planning Commission will enter into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.
10. The City of Cashmere Planning Commission has reviewed the entire record and public testimony as it relates to the proposed amendments to the Cashmere Municipal Code.

**E. Suggested Conclusions of Law:**

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the City of Cashmere Planning Policies and the City of Cashmere Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of Revised Code of Washington, and the Washington Administrative Code.
5. The proposed amendments have been reviewed and processed in accordance with the requirements of Title 14 Development Permit Procedures and Administration of the Cashmere Municipal Code.

**F. Draft Motion**

Based upon the findings of fact and conclusions of law contained within this staff report, I recommend the current zoning code be amended to define and designate appropriate locations for and regulations of short-term rentals.

**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.** An amended 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 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.**

	SF	SR	AR	MF	P	DB	C/LI	WI
<b>Residential Uses</b>								
<b>Accessory Dwelling Unit</b>	PRM	PRM	PRM	PRM				



**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:

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. 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.

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. 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. 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.

F. 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. 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. The accessory dwelling unit shall have separate utility connections when feasible. 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.

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 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 7.** This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

APPROVED:

\_\_\_\_\_  
MAYOR JAMES FLETCHER

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, KAY JONES

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_  
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK: \_\_\_\_\_  
PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_

SUMMARY OF ORDINANCE NO. \_\_\_\_\_

Of the City of Cashmere, Washington

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On the \_\_\_\_\_ day of \_\_\_\_\_, 2021, the City Council of the City of Cashmere, Washington, passed Ordinance No. \_\_\_\_\_. A summary of the content of said Ordinance, consisting of the title, provides as follows:

**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.**

The full text of this Ordinance will be mailed upon request.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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CITY CLERK, KAY JONES