



BOARD OF YAKIMA COUNTY COMMISSIONERS

Regular Meeting

Work Session

Monday, June 26, 2023, at 9:00 am

BOCC Conference Room, Room 232, 128 N 2nd Street, Yakima, WA 98901 or Zoom

6/26/2023 - Minutes

1. CALL TO ORDER

Meeting Called to Order at 9:01 a.m.

PRESENT: Chair LaDon Linde, Commissioner Amanda McKinney, Commissioner Kyle Curtis, Legal Counsel Don Anderson, Clerk of the Board Julie Lawrence, Deputy Clerk of the Board Erin Franklin, Long Range Project Planner Olivia Story, Long Range Planning Manager Noelle Madera, Planning Official Thomas "Tommy" Carroll, Building Official Marivel Garcia, Assistant Building Official Richard Hembree, Human Services Director Esther Magasis, and guests.

2. PUBLIC COMMENT

No Public Comment Received.

3. PUBLIC SERVICES (120 Minutes)

Draft Text Changes to YCC 19.18.420 Short-Term Rental (STR) and Review of the Planning Commission Findings: Olivia Story explained that short-term rentals are residential dwelling units that are rented to overnights guests for less than 30 days. They currently require a Type 2 permit with a \$1,925 fee, and there is a review period that allows for public comment. Planning staff has recommended that the requirement be lowered to a Type 1 permit with a \$485 fee; however, this permit type does not require public comment. Conversely, the Planning Commission voted to keep R-1 and R-2 zones as a Type 2 permit to allow higher density residential areas the opportunity to comment. The Board now has the opportunity to review these findings and hold a public hearing to consider changes.

The Commissioners discussed the notification of neighbors and what reasons they might have for requesting the denial of a short-term rental permit, such as parties, noise, increased traffic, and a preference for owner-occupied residences; however, it was noted that these issues are not limited to short-term rental situations. Commissioner McKinney noted that some residents are already operating short-term rentals without a permit, so providing the permit would allow County Code Enforcement and law enforcement agencies to more efficiently manage and respond to any issues. In response to Commissioner Curtis' question, Tommy Carroll stated that the few complaints the County has received in the past have always been related to other code cases (such as land use); there are many short-term rentals (visible on vacation rental websites) that have been operating with no complaints. Commissioner McKinney observed that the vacation industry also self-regulates and can even blacklist certain places. The Board agreed to move this item forward for consideration at a public hearing to be scheduled for July or August. Commissioner McKinney asked that this same presentation be utilized at the hearing, showing staff's recommendations alongside the Planning Commission's recommendations.

Draft Text Changes to YCC 19.18.020 Accessory Dwelling Unit (ADU) and Review of the Planning Commission Findings: Olivia explained that the goal of initiating these changes was to streamline, improve, and allow more housing options for the public. Considered edits include: water and sewer connection requirements, possible subdivision of ADU's, unit size, owner occupying requirements, attached and detached definitions, visually

secondary requirements, level of review, and parking standards. Olivia and Tommy explained the differences in the ADU permitting process for attached, detached, and duplex situations. The Board also briefly discussed caretaker units in nonresidential areas. Olivia noted that the Planning Commission had voted in favor of the draft changes, as amended; the Board now has the opportunity to review these findings and hold a public hearing to consider the changes.

In response to Commissioner Curtis' question, Noelle Madera and Olivia outlined the permitting process for residents: they would need to go through the Planning Division for land use permits, and then the Building Division for building permits. Tommy added that any ADU would be required to meet energy, fire, building, health, and safety codes. Commissioner McKinney also clarified that RV's are not manufactured to be permanent residences and can't even be insured as such.

Commissioners McKinney and Curtis discussed how these changes will provide a smart, strategic, cost-effective way to increase housing options in our community, especially in multigenerational living situations. They noted the benefits to elderly residents in particular: these changes can enable them to stay in their homes longer and ease the burden of rising property taxes and energy costs. Commissioner Linde noted that this is also a positive alternative to merely increasing government-funded housing. The Board agreed to move this item forward for consideration at a public hearing to be scheduled for July or August. In response to Commissioner Curtis' question about an existing 100 ft. rule, Tommy confirmed that he would look into some new verbiage based on topography.

Agritourism Discussion: Olivia explained that agritourism includes wineries, breweries, and distilleries (WB&D's); agricultural tourist operations (ATO's); and outdoor festivals. She noted that ATO's hold more events and thus have more impact on the community than WB&D's; the need for clarity across industries regarding permitting and land use is what prompted this review. Planning staff created a draft with proposed changes, and the Agritourism Advisory Group (primarily made up of community stakeholders) has been meeting since 2021 to review this draft and provide feedback prior to submission to the Planning Commission, which ultimately recommended approval after lengthy deliberations. The Board now has the opportunity to review these findings and hold a public hearing to consider changes.

Olivia went on to discuss the current levels of permitting: Level 1 WB&D, Level 2 ATO Retail (including events), and Levels 3 and 4 ATO Destination/Resort (including restaurants and lodging). Olivia proceeded to compare and contrast the Agritourism Advisory Group's proposal, staff's proposal, and the Planning Commission's recommendation regarding tastings, event capacity, and food service at each of these levels. Commissioner McKinney stated that she would prefer not to limit the number of units arbitrarily, but instead to base the number on the size or any other permitting limitations of the site.

In discussing WB&D issues and opportunities, Planning staff noted permitting types, allowable land uses, events, food service, capacity levels, and road access. Marivel Garcia weighed in on behalf of Building & Fire regarding special occasion permits and food service permits. The Commissioners discussed questions and concerns over the allowability of different types of food service. Staff then moved to ATO issues and opportunities, noting permitting types, allowable land uses, events, food service, parcel size, crops used/sold, parking, indoor event facility size, and overnight lodging. The Commissioners discussed various scenarios for event capacity and requested additional information from Building and Planning staff. Richard Hembree also noted that automatic fire sprinklers are required in facilities over a certain capacity. Tommy and the Board further delved into the complexities of requirements for RV's, particularly in terms of safety and utilities. They agreed that sound language is needed in the code to prevent safety hazards from older RV's. Tommy also noted concerns that the agricultural zone can utilize RV's for overnight lodging, but RV's are not allowable as residences in other situations, such as accessory dwelling units. He clarified that campgrounds and RV parks are also not allowed in agricultural zones except in cases of agritourism.

Finally, staff noted outdoor festival requirements for capacity levels, access and parking, temporary structures, application due date, appeal process, approval authority, and age of patrons. Tommy also explained the reasons for past practice of previous Boards in approving these festivals. The Board requested another Work Session some time in July to continue discussing agritourism before scheduling a public hearing. They also agreed to eventually offer two hearings on this topic: one at a Regular Agenda Meeting on a Tuesday, and an additional special meeting in the evening to allow for greater public comment. Tommy and Olivia confirmed that staff would follow up on the Board's questions and requests for information.

4. HUMAN SERVICES (60 Minutes)

Mental Health Sales Tax RFP: Due to time constraints, this item was postponed.

DCR Discussion: Esther Magasis reviewed the information she had presented at Friday's Work Session, and noted that she is still waiting to hear back from Courtney Hesla (Comprehensive Healthcare) about the frequency

of DCR calls. Per Esther's presentation, feedback was collected from local law enforcement agencies, fire response agencies, and SunComm about their preferred options for DCR programs. "Option 1: DCR Only" would include 7 DCR's for a cost of \$874,891. "Option 2: Single Team Coverage" would include 6 Case Managers, 2 Peer Supports, 3 DCR's, and 1 Program Manager for a cost of \$1,173,577. "Option 3: Split Upper Valley and Lower Valley Teams" would include 8 Case Managers, 5 Peer Supports, 4 DCR's, and 1 Program Manager for a cost of \$1,714,194. None of these figures include transportation costs. The majority of participating agencies preferred Option 3, although a few listed Option 2. The Commissioners asked Julie Lawrence to reach out to the local jurisdictions on behalf of the Board, requesting a response as to whether they have excess vehicles available that could be utilized by the DCR's. Additionally, Commissioner Curtis suggested the use of surplus County vehicles. Commissioner Curtis also asked if Option 2 could be split; Esther clarified that the DCR's are supposed to be staggered in this option, but it could work. Finally, Esther explained next steps in this process: confirm funding details, determine which option to fund, determine best procurement process for DCR services (likely sole source), create and issue contract, and begin service expansion. Commissioner Linde requested that Courtney Hesla be present at next Monday's Work Session to answer additional questions and finish previous discussions. If not, the Board agreed to continue discussion the Friday afterward, as the upcoming Friday Work Session is cancelled.

5. COMMISSIONER UPDATES/ GENERAL DISCUSSION

Due to time constraints, the Commissioners did not discuss any updates.

6. NEW BUSINESS

No New Business.

7. ADJOURN

Commissioner Curtis MOTION: To Adjourn

Commissioner Linde SECOND

Motion Passes to Adjourn. Meeting Adjourned at 12:04 p.m.

All work sessions are recorded and will be available to view on the BOCC website at <https://www.yakimacounty.us/AgendaCenter/Board-of-Commissioners-2>.

APPROVED DATE

DATE/Minutes

JUL 18 2023

BOARD OF YAKIMA COUNTY COMMISSIONERS

LaDon Linde, Chair

Amanda McKinney, Commissioner

Kyle Curtis, Commissioner

*Constituting the Board of County Commissioners
for Yakima County, Washington*

