



City of Clarkston

City Hall: (509) 758-5541 • Police: (509) 758-1684 • Fire: (509) 758-8681 • Fax: (509) 769-6018

829 5th Street • Clarkston, WA 99403 • www.clarkston-wa.com

PLANNING COMMISSION

AGENDA

February 3, 2014

CITY HALL

829 5TH STREET

CALL TO ORDER: 6:00 P.M.

ROLL CALL:

APPROVAL OF MINUTES:

January 20, 2014

REGULAR BUSINESS:

- A. **Discussion of possible updates to Zoning Matrix**
- B. **Zoning regulations related to Recreational Marijuana Businesses**

UNFINISHED BUSINESS:

COMMUNICATIONS:

- A. From Public
- B. Written
- C. From Planning Commission
- D. Staff Reports

ADJOURN:



TREE CITY USA.

CITY OF CLARKSTON
PLANNING COMMISSION MINUTES
January 20, 2014

CALL TO ORDER: 5:30 P.M., Clarkston City Hall, John Murray

ROLL CALL: Bob Gilbertson, Larry Moser, John Murray
Excused: Margo McCroskey, Jim Merrill
Staff: Jim Martin, Vickie Storey

APPROVAL OF MINUTES:

Minutes of the November 18, 2013 meeting were approved on a motion by MOSER/GILBERTSON. Motion carried.

REGULAR BUSINESS:

A. Discussion of updates to Zoning Matrix

PWD Martin provided a handout of proposed changes to the zoning matrix. It includes uses that are not included, things that could be eliminated, and definitions that would be needed and other related information.

Additions:

1. Aircraft hanger – Martin said there are two buildings in the Port that were originally hangers. They have not been used as such in many years, but Martin said he has had an inquiry and feels it should be addressed. Allow in PC and HI.
2. Adult concession – is currently restricted by not being allowed within 500 feet of many other uses. The area that was once allowed has been built out. Discussion on whether to address in some other manner will be saved for a later date.
3. Adult family home – a new definition
4. Apartment Houses – Allow in MC based on Code language and add to PC
5. Arcade – not currently listed as a use. Allow in SC and DC.
6. Brewery, distillery, winery – suggested for DC, SC, PC and HI. Possibly limit by size for locations other than industrial.
7. Congregate housing – remove, changed to adult family home.
8. Convenience store – currently not allowed in DC. Should add
9. Drug Store – add to PC
10. Duplex Dwelling – suggest adding to MC, based on definition of the MC zone.
11. Espresso / Food stand – add to matrix. Suggest allowing in SC and PC. Gilbertson suggested adding MC.
12. Farming – delete parking requirement since use is not allowed.
13. Garden apartments – eliminate because it seems to be obsolete and not used in Clarkston. Would be covered by multi-family dwelling regulations.
14. Gas station – Add, with different definition than Service Station. Would be allowed in SC, PC and ID.
15. Grain Storage- add to PC since it already exists
16. Hotel – currently allowed in MC. Doesn't appear to be a need.
17. Industrial light – add to HI
18. Junkyard – eliminate parking since junkyard are not allowed.
19. Machine shop – Add to SC,
20. Manufacturing – add to matrix and allow in PC and HI
21. Manufactured house – Add to MC
22. Marijuana retail sales – Add to matrix and allow in SC and DC and PC. Martin said the allowable area with the 1,000 foot buffer indicates more area available in DC than in SC. Discussion to continue at future meetings.
23. Marina – remove from SC
24. Medical office – add to PC
25. Mobile home park – combined with Manufactured housing park.
26. Monument works – question on allowing in SC, due to processes that might be used, such as sand blasting. Leave as is
27. Multi family dwelling – combine with apartments
28. Nursery for plants – Add to HI
29. Recreational facility / public – add to matrix and make a Conditional use other than restricted in MC, DC, HI
30. Rendering plant – Remove parking requirement
31. Second floor apartment – add to PC

32. Single family dwelling – add to MC
33. Theater, drive in and interior – change the way they are listed.
34. Upholstery shop – add to HI
35. Veterinary clinic – add to HI
36. Wrecking yard – remove parking requirement

Martin said he has looked at the boundary definitions for how to deal with property that falls into two different zones. After looking at the definitions in our code and researching how other jurisdictions do it, his suggestion is to let it fall as it is on the map. In some cases a property may be split into two zones. Murray said a property owner can apply for a zone change if they need to for a specific use.

Discussion of density for residential. The “four units under a single roof” limitation in R2 was questioned by Martin. He said there are properties that could possibly be infilled without that restriction. Storey asked if the Planned Unit Development process wouldn’t address infilling a large parcel of land. Discussion will continue at a future meeting.

A public hearing for these proposed changes will be set for a future date when the density and marijuana business issues have been resolved.

B. Discussion – Recreational Marijuana

Murray commented that the attorney general has given an opinion that cities can refuse to allow retail marijuana businesses. Martin said our attorney does not feel that we can totally zone out a type of business allowed by state law.

Martin handed out some additional information from the Liquor control Board, licensing information and other general information, and WAC rules on marijuana.

Martin said when council adopted the moratorium on marijuana business they also said that they would work to get the necessary regulations in place so as not to delay business, so we need to move forward.

Moser said if a business meets the state regulations and will be located in a commercial zone, it should be allowed. Consensus is to treat it as other retail businesses and allow it in SC, DC and PC as long as the business meets all state requirements.

Need additional information on growing and processing before making a recommendation.

COMMUNICATIONS:

Planning Commission: Murray said he cannot make meetings before 6:00 due to his new job. Meeting time will be changed to 6:00. Next meeting set for February 3.

Staff:

ADJOURNMENT:

Meeting adjourned at 6:37 p.m.

John Murray, Chair

City of Clarkston
Public Works Director
829 5th St.
(509) 758-1662
(509) 769-6019fax

Memo

To: Planning Commission

From: James E. Martín, PWD

CC:

Date: Jan. 24, 2014

Re: Zoning Info Update

I've updated some information that we discussed last meeting. Enclosed are some discussion points, an updated Matrix, comments from the Port, and a summary with definitions. This information should help us keep the meeting moving. I did find that marijuana processing and production have the same limitations as the retail sales for locations. I'm suggesting that we restrict both as we have farming in City Limits.

See you on the 3rd of February at 6 pm.

Thanks,

Jim 

Jan. 22, 2014

Zoning discussion points...

“502”:

Upon further investigation, I've discovered that the production and processing has the same location restrictions as the retail outlet. Given that information and our restriction on farming in the City, I would suggest we follow the same course and restrict marijuana production and processing as we have farming.

Port Manager Memo:

I invited comments on the Port Commercial Zone from the Port Manager. Attached are her comments. Overall, I believe we have addressed in the Matrix, what direction the Port would like to go. I do however take exception to the idea that the City or the Planning Commission consider dealing with “design standards”. There is mention of a need to implement some design criteria for developments and creating a design committee. I would only agree with that concept if we were similar to a community like Leavenworth where a specific theme is in place and design standards are either encouraged or forced. The implementation, enforcement and participation in a concept like that would be very difficult.

Density (dwellings):

As with my previous comments about our need for infill of properties, the Port also encouraged infill. I think we can come up with a good plan that will allow infill and still maintain each neighborhoods identity. I can understand how small individual units on one property could become a problem in establishing proper setbacks and creating a situation where improper sales of dwelling units could easily violate our codes. Keeping this in mind we could consider repealing the “maximum” number of units but still restrict construction to duplex units or greater. Clusters if you will. Planned Unit Developments were mentioned but the process for those is based on a minimum acreage and would be difficult to use in infill situations. It also places greater burden on the system (PC meetings, staff time, Council approvals, etc.) If we end up with a usable matrix, it would be a simple yes or no.

James Martin

From: Wanda Keefer <wanda@portofclarkston.com>
Sent: Monday, November 04, 2013 11:16 AM
To: Jim Martin (E-mail)
Cc: 'Jennifer Bly'; belinda@portofclarkston.com
Subject: Input for Zoning Commission
Attachments: less than optimal use of waterfront.pdf

Jim,

Thank you for giving me the opportunity to comment as the Planning and Zoning Commission reviews existing zoning categories and the matrix which guides implementation. While I suspect that you were particularly interested in comments on the Port-Commercial zone, I think the discussion points below could be more broadly applied. Please note: while we are advocating for sensitivity relating to some locations within the City limits, the Port of Clarkston very much supports land uses that help businesses meet their objectives. Our research, as we develop design standards for our new business park outside the city limits, is that areas that are a bit more restrictive as to land uses and design standards tend to hold their value better than investments that might be built next to the property pictured at the bottom of this email for instance.

Planning that values the waterfront: In the attachment to this email is an illustration of a land use in Asotin County on the waterfront that is highly visible from air, land, and water. This particular project demonstrates what happens when planners do not seek to maximize the potential to showcase our community's greatest asset, the Snake River. Because the structure is SO WHITE, the eye is drawn to it. It doesn't blend with its natural surroundings. This allows viewers to conclude that the purpose of the business (storage) is a higher good than any other purpose the community might have. This particular facility is outside the city limits of Clarkston and is provided for illustration purposes only. But I think the example could generate discussion from two perspectives: a) land uses; and b) design standards.

Land uses: There is a riverview viewshed from the perspective of structures on land and from the perspective of the water (or recreational trails along the water) that is above and beyond any "Shoreline" Master Planning requirement (which is typically 200' from the ordinary high water mark). Consider a lower "riverview" approach to land uses that provides easy access to recreational trails along the waterfront. A separate "viewshed" approach would be at higher elevations without easy access to the waterfront, but still within easy view of the river. Perhaps within these zones, something more aesthetic is required?

Design standards: Under the concept of design standards, for instance, the property illustrated in the attachment might simply be required to paint the structure "earth tones." This doesn't drawback from the utility of the structure, but what it does is recognize that it is within a significant viewshed from the river. (Again, this is outside the city limits, so is an illustration only.)

Multi-use options that do not require Planned Unit Development approach: As we have discussed, it is likely to be quite beneficial if commercial activity is encouraged on the ground floor of buildings in downtown Clarkston, but also in the northern part of Clarkston near the riverfront. The City is quite easy to work with under Planned Unit Developments, so that remains a possibility. However, there may be existing structures for which a PUD is not appropriate that could provide Clarkston with similar benefits. So a question for consideration is this: Is it possible to allow multi-use options more extensively than just within a planned unit development? Or can a streamlined PUD be developed for a single structure that will not require infrastructure modifications?

Design standards: Sometimes a very practical use has to occur on the waterfront (i.e., the shed in which a boat is kept at the Corps office). That doesn't mean the aesthetics should be ignored; this shed doesn't have to look industrial. By incorporating requirements to use natural colors (not white, as in the attachment) and/or natural materials in these structures, the structure becomes more pleasing to the eye. The types of materials used could also be specified. Visual impact should be evaluated from land and from the water. (And perhaps even from the air.) An architectural design committee could put out general standards and then be tasked with approving specific plans. Projects should not be required to make modifications unreasonably, however. (This is a fine balance.)

Night-lighting considerations: More tools are becoming available for lighting that creates down-lighting to assure the security of areas while they limit glare elsewhere. New structures should not put out the glare that ATK does at night.

In-fill considerations: More potential exists for business growth within the city limits as it relates to infill than any other area. Has the planning and zoning commission considered initiatives or incentives that would encourage in-fill?

Weeds and other aesthetics: I would imagine that the property in the 1300 block of Port Drive (aerial photo below) (Lemire property) is grandfathered in and that new, similar uses could not sprout up. What can be done about that? Also, enforcement of existing weed ordinances could benefit the overall look of the community.



Alternative modes of transportation: I'm not quite sure how this discussion would fit into the zoning review, but public transportation is becoming increasingly relied upon. In order to make this alternative form of transportation safe, we need quality sidewalks feeding into collection points. How walkable is our community? Are there development steps that could help achieve better pedestrian traffic? How about bicycle traffic? (This may be more a road, "complete street" discussion.)

Thank you for considering these comments.

Wanda Keefer
Manager, Port of Clarkston
509-758-5272

EXCLUSIONARY ZONING

17.03.030

	R-1	R-2	R-3	S-C	D-C	M-C	P-C	H-I	Parking
Aircraft Hanger	N	N	N	N	N	N	Y	Y	Q
Adult Concession									
Adult Family Home	Y	Y	Y	N	N	Y	N	N	D
Apartment houses	N	Y	Y	N	N	Y	Y	N	B
Arcade	N	N	N	Y	Y	N	N	N	Q
Asphalt plant	N	N	N	N	N	N	N	Y	O
Automobile body repair shop	N	N	N	Y	N	N	Y	N	M
Automobile rental	N	N	N	Y	N	N	Y	N	M
Automobile sales or service	N	N	N	Y	N	N	Y	N	M
Automobile storage	N	N	N	Y	N	N	Y	Y	O
Bakery	N	N	N	Y	Y	N	Y	N	N
Bank/financial institution	N	N	N	Y	Y	N	N	N	L
Bar, tavern or cocktail lounge	N	N	N	Y	Y	N	Y	N	P
Beauty, barbershop	N	N	N	Y	Y	Y	N	N	K
Bed and breakfast inn	CU	CU	Y	Y	Y	Y	N	N	C
Billboard	N	N	N	N	N	N	N	N	
Boat building or repair	N	N	N	Y	N	N	Y	Y	N
Boat/mobile home sales/service	N	N	N	Y	N	N	Y	N	M
Boat Moorage Commercial	N	N	N	Y	N	N	Y	Y	L
Bottling plant	N	N	N	N	N	N	N	Y	O
Bowling alley/entertainment	N	N	N	Y	Y	N	Y	N	I
Brewery/Distillery/Winery	N	N	N	Y	Y	N	Y	Y	Q
Building supply outlet	N	N	N	Y	Y	N	Y	Y	L
Business or professional office	N	N	CU	Y	Y	Y	Y*	N	K
Cabinet/furniture shop	N	N	N	Y	N	N	Y	Y	N
Car wash	N	N	N	Y	N	N	N	N	Q
Cement/clay products mfg	N	N	N	N	N	N	N	Y	O
Cemetery	Y	Y	Y	Y	Y	Y	N	N	Q
Chemical storage and mfg	N	N	N	N	N	N	N	Y	O
Child day care center	CU	CU	CU	CU	CU	CU	N	N	H
Church	Y	Y	Y	Y	Y	Y	N	N	E
Concrete batch plant	N	N	N	N	N	N	N	Y	N
Congregate housing									
Contractors' storage yard	N	N	N	N	N	N	Y	Y	L

	R-1	R-2	R-3	S-C	D-C	M-C	P-C	H-I	Parking
Recycling collection point	Y	Y	Y	Y	Y	Y	Y	Y	Q
Recycling plant	N	N	N	N	N	N	N	Y	O
Rendering plant	N	N	N	N	N	N	N	N	
Research laboratory	N	N	N	Y	N	Y	Y	Y	L
Restaurant	N	N	N	Y	Y	N	Y	N	P
Restaurant, Drive-in	N	N	N	Y	N	N	N	N	P***
Retail store	N	N	N	Y	Y	N	Y	N	M
Sanitary landfill	N	N	N	N	N	N	N	N	Q
Sales / Occasional	N	N	N	Y	Y	N	Y	N	K
Schools (College)	N	N	N	Y	N	Y	N	N	H
Schools (K-12)	Y	Y	Y	Y	N	N	N	N	H
Second-floor apartment (all zones)	Y	Y	Y	Y	Y	Y	Y	N	B
Service Station	N	N	N	Y	N	N	Y	N	L
Sign shop	N	N	N	Y	Y	N	Y	N	N
Single-family dwelling	Y	Y	Y	N	N	Y	N	N	A
Storage rental unit	N	N	N	Y	N	N	Y	N	Q
Terminal yard, trucking	N	N	N	N	N	N	Y	Y	Q
Tire shop	N	N	N	Y	N	N	Y	Y	M
Theater, Drive-in	N	N	N	Y	N	N	Y	N	Q
Theater / Interior	N	N	N	Y	Y	N	N	N	E
Transportation facilities	N	N	N	N	N	N	Y	Y	Q
Truck and tractor repair	N	N	N	N	N	N	Y	Y	M
Upholstery shop	N	N	N	Y	Y	N	Y	Y	N
Veterinary clinic	N	N	N	Y	N	N	Y	Y	M
Warehouse	N	N	N	Y	N	N	Y	Y	O
Wholesale distributing facility	N	N	N	Y	N	N	Y	Y	O
Wireless Telecommunication facility	Y*	CU							
Wood processing plant	N	N	N	N	N	N	Y	Y	O
Wrecking yard	N	N	N	N	N	N	N	N	

*As regulated by State Law

** Maximum of four (4) attached units (four-plex).

*** In addition to the parking requirement, eight stacking spaces for the drive up window, with a minimum of four such spaces designated for the ordering station. Such spaces shall be designed so as not to impede pedestrian or vehicular Circulation on the site or on any abutting streets.

Note: Review density standards for possible infill of existing properties such as apartments.

DO NOT USE. 3/00

REQUIREMENTS

	R-1	R-2	R-3	S-C	D-C	M-C	H-I & P-C
Minimum Lot Size	5,000 s.f.	5,000 s.f.	5,000 s.f.	5,000 s.f.	NA	5,000s.f.	NA
Area required for additional dwelling units	3,500 s.f. ¹	2,500 s.f. ²	1,500 s.f.	NA	NA	NA	NA
Minimum lot width	50	50	50	50	NA	NA	NA
Minimum lot depth	100	100	100	100	NA	NA	NA
Primary building:							
Front yard setback	25	20	20	15	0	20	0
Rear yard setback	15	15	15	15	0	15	0
Side yard setback	7 or 10 ⁵	7 or 10 ⁵	7 or 10 ⁵	5	0	5	0
Side yard setback, corner lot, street side	15	15	15	0	0	0	0
Auxiliary building: (less than 120 s.f.)							
Front yard setback	25	20	20	15	0	20	0
Rear yard setback	3	3	3	0 or 15 ³	0	0 or 15 ³	0
Side yard setback	3	3	3	0 or 15 ³	0	0 or 15 ³	0
Auxiliary building: (more than 120 s.f.)							
Front yard setback	25	20	20	15	0	20	0
Rear yard setback	3 or 10 ⁴	3 or 10 ⁴	3 or 10 ⁴	0 or 15 ³	0	0 or 15 ³	0
Side yard setback	5	5	5	0 or 15 ³	0	0 or 15 ³	0
Maximum lot coverage by structures	40%	45%	50%	60%	100%	60%	100%
Building height limit	35	35	35	35	35	35	35

To a maximum of 2 units contained within a single structure (Duplex), and one structure per lot.

² To a maximum of four (4) units contained within a single structure, and one structure per lot.

³ The larger setback is required where the yard adjoins a residential property.

⁴ The larger setback is required where no alley adjoins the rear lot lot. The larger setback also applies to garages on alleys where the vehicular access to the garage is perpendicular to the alley or at an angle between 45 and 90 degrees to the alley, to allow for safe visibility.

⁵ Seven foot setback required on each side if alley access, 7 on one side & 10 on the other if no alley access.

NOTE: The maximum eave overhang or other building projection allowed is four inches for every twelve inches of required setback. The required setback is measured from the property line to the outside of the foundation wall.

Jan. 24, 2014

Zoning Code Review

Matrix Revisions (possible)

Additions:

- Aircraft Hanger
- Adult Concession
- Adult Family Home or Assisted Living Facility (see Congregate Housing)
- Arcade
- Espresso / Food Stand
- Gas Station / Motor Fuel Dispensing
- Health Club / Private
- Manufacturing
- Recreational Facility / Public
- Sales / Occasional (see Flea Market)
- Theater / Interior (auto-views or drive ins are antiquated)
- Marijuana Retail Sales
- Marijuana Processing
- Marijuana Production

Omissions:

- Commercial Amusement (see Arcade)
- Congregate Housing (see Adult Family Home)
- Garden Apartments (apts are apts)
- Mobile Home Park (see Manufactured Home Park)
- Multifamily Dwelling (see Apartments)
- Flea Market (see Occasional Sales)

Definitions Needed:

- Adult Family Home or Assisted Living Facility (see IBC)
- Arcade (sec 17.01.040)
- Espresso / Food Stand (sec 17.01.040)
- Gas Station / Motor Fuel Dispensing (see IBC)
- Health Club / Private (see IBC)
- Manufacturing (see IBC)
- Recreational Facility / Public (sec 17.01.040)
- Sales / Occasional (sec 17.01.040 Flea Market)
- Marijuana Retail (review State Law)
- Marijuana Processing
- Marijuana Production

Assorted Details:

- Insure Matrix matches actual Code language.
- Review density application to property. (infill possibilities allowing best use of property)
- Medical Commercial zone encourages residential use while Matrix denies it.
- Port Commercial zone is in a flux. (review Port Mngr's submittal)
- Omit reference to "Board of Adjustment" (now Hearing's Officer process in place)
- Zone Boundaries (address lots split by zones)

Conditional Use applicability
Expand allowance of 2nd floor apartments
Review “under one roof” language
Avoid Architectural design criteria or committee

Definitions (possible):

Aircraft Hanger – means a storage structure for the protection of aircraft.

Adult Family Home – means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

Arcade – means an entertainment venue featuring primarily video games, simulators, and / or other amusement devices where persons under twenty-one years of age are not restricted.

Espresso / Food Stand – means a structure used primarily for the sale of beverages and foods designed for drive-through and pedestrian service having no indoor seating or appurtenances and limited outdoor seating.

Gas Station – the retail sales of motor fuels from fixed equipment into the tanks of motor vehicles and the sales of related automotive products and services other than repair and the replacement of parts.

Health Club / Private – means an indoor facility including uses such as game courts, exercise equipment, locker rooms, showers, hot tubs and / or sauna and pro shop with membership required for use.

Manufacturing – the making of goods or wares by manual labor or by machinery, especially on a large scale.

Marijuana Processing – means processing, packaging, and labeling of marijuana / marijuana infused products for sale at wholesale to marijuana retailers.

Marijuana Production - means the production of marijuana for sale at wholesale to marijuana processors.

Marijuana Retail – means a location where licensed marijuana retailers sell only usable marijuana, marijuana infused products, and marijuana paraphernalia to persons twenty one years of age and older.

Recreational Facility / Public – means an indoor and / or outdoor facility including uses such as game courts or fields, exercise equipment, locker rooms, showers, etc. open for public use on a large scale. Such as a soccer complex, baseball complex, Boys & Girls clubs, etc.

Sales / Occasional – means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public. This does not include private yard or garage sales.

Zone Boundaries— Unless otherwise specified, zone boundaries are section lines, subdivision lines, lot lines, centerlines of streets, alleys or such lines extended. In the case where a boundary line intersects a property where no line is designated, each zone on each side of the established boundary as shown on the zoning map shall apply.