



City of Clarkston

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PLANNING COMMISSION

AGENDA

April 21, 2014

CITY HALL

829 5TH STREET

CALL TO ORDER: 6:00 P.M.

ROLL CALL:

APPROVAL OF MINUTES:

March 3, 2014

PUBLIC HEARING:

Proposed change to the Zoning Matrix, additional Definitions, Recreational Marijuana

REGULAR BUSINESS:

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
March 3, 2014

CALL TO ORDER: 6:00 P.M., Clarkston City Hall, John Murray

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

APPROVAL OF MINUTES:

Minutes of the February 18, 2014 meeting were approved on a motion by MCCROSKEY/MERRILL. Motion carried.

Chair Murray asked the commission to move communications to the beginning of the agenda. Motion by McCroskey/Gilbertson to move the public comment forward.

COMMUNICATIONS:

A. Communications from the Public

Chair Murray explained that the Planning Commission is an advisory body whose purpose is to make recommendations to the city council for potential action. He said a public hearing will be held at a later date, prior to any recommendation to the city council.

Melissa Welter, 1036 Burrell, is speaking on behalf of EPIC. EPIC stands for empowering people and impacting choices. She said their mission is to reduce underage drinking, drug use and other destructive choices. As such, EPIC urged the commission to ban the production, processing and sales of marijuana in the City of Clarkston. Welter said Washington's attorney general has put forth his opinion that it is within the rights of local governments to regulate within their jurisdictions. Welter provided copies of that opinion.

Murray asked more about EPIC. Welter said they are a coalition and received some funding from the state because a youth survey show that Asotin County is a high risk community for drugs and alcohol. They have formulated a strategic plan and are now in the implementation phase. She said the board consists of members from all sectors of the community.

David Domolecny, 1430 Chestnut, said he has addressed the County Commissioners regarding marijuana. He said he once believed drugs should be legalized because it would eliminate the black market and would produce revenue. His opinion has since changed and he feels that marijuana should be banned in Clarkston and Asotin County.

REGULAR BUSINESS:

A. Discussion of proposed updates to Zoning Matrix, including Marijuana Regulations

Murray commented that prior discussion has included some minor changes in other areas of the zoning matrix. Those changes included eliminating some redundancy, some new uses and elimination of some uses that do not apply.

PWD Martin commented that retail sales of marijuana are currently being considered in DC, SC and PC.

Design standards, which had been requested by the Port of Clarkston, are not something that the Commission is ready to address at this time.

McCroskey said the changes to the matrix that have been discussed in prior meetings are good. She said she is comfortable with moving on to the public hearing.

MOTION BY GILBERTSON/MERRILL to schedule a public hearing to present the matrix as it has been revised.

McCroskey explained that the marijuana portion of the matrix is not set in stone and can be revised as a result of the public hearing. She commented that much of the city falls within the exclusions set by the state so there are limited locations that would allow retail sales.

Sidney Grubb, 2330 Valleyview Court, asked if the map is available on line. Martin said it is not yet, but he hopes to be able to put it on the website.

Welter asked if the Commission has considered increasing the 1,000 foot exclusion area to 1,500 or 2,000 feet. Murray said they did not and he feels it is near impossible to zone out a use that is allowed by law within the state. He explained that the Commission spent some time discussing how to classify certain uses, such as production. Should it be agricultural or industrial.

They finally settled on industrial and as such restricted it to the Industrial Zone. He said part of the mission of the Commission is to keep the City out of lawsuits and zoning a use out entirely would subject the city to potential legal action. He commented that state regulations will make it quite expensive to obtain a license. McCroskey said areas have been identified within the restrictions of the current law where marijuana business would be allowed. She said if the public hearing indicates that the public does not want to allow marijuana businesses, then the Commission and Council would have to consider that testimony.

Welter said about five communities have placed an outright ban and Pullman has increased the barrier area to 1,500 feet. She offered to provide copies of ordinances from some of those communities.

Motion to move forward with the public hearing carried.

The hearing was set for April 21.

COMMUNICATIONS:

ADJOURNMENT: Meeting adjourned at 6:28 p.m.

John Murray, Chair

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/emrel amusement | 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.

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.

Added Definitions:

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.