

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
TUESDAY, MAY 28, 2019**

1. **CALL TO ORDER: 7:00 P.M.**
2. **PLEDGE OF ALLEGIANCE:**
3. **AGENDA CHANGES:**
4. **APPROVAL OF MINUTES: May 13, 2019 Regular Meeting**
5. **PUBLIC HEARING: Surplus Property: WWTP, Sanitation**
6. **PUBLIC HEARING: Planned Development: 1388 Poplar Street**
7. **COMMUNICATIONS:**
 - A. **From the Public:**
 - B. **From the Mayor:**
 - C. **From Staff or Employees:**
 - D. **Presentation from TNT Fireworks: Beckie Burger**
8. **COMMITTEE REPORTS:**
 - A. **Finance/Admin – Audit Report on Current Bills – May 13**
 - B. **Public Safety – May 7**
 - C. **Public Works – May 7**
 - D. **Outside Organizations – Health District, EMS Council, Valley Vision, PTBA, SEWEDA, MPO, Regional Stormwater, Lodging Tax Advisory**
9. **UNFINISHED BUSINESS:**
 - A. **Ordinance 1617, Zone Change – Fair Street, 2nd Reading (Public Works)**
 - B. **Ordinance 1618, Zone Change – Poplar Street, 2nd Reading (Public Works)**
 - C. **Ordinance 1619, Zone Change – 1303 6th Street, 2nd Reading (Public Works)**
 - D. **Ordinance 1620, Zone Change – 1313 6th Street, 2nd Reading (Public Works)**
 - E. **Ordinance 1621, Zone Change – 1336 5th Street, 2nd Reading (Public Works)**
 - F. **Ordinance 1622, Alley Vacation – Block 18, Lot 11-12, 2nd Reading (Public Works)**
 - G. **Ordinance 1623, Alley Vacation – Block 18, Lot 23-24, 2nd Reading (Public Works)**
 - H. **Ordinance 1624, Alley Vacation – Block 18, Lot 33-34, 2nd Reading (Public Works)**
10. **CONSENT AGENDA:**
 - A. **Local Agency Contract – McCall’s Classic Construction (Public Works)**
 - B. **Resolution 2019-08 – Transfer Vehicle from WWTP to Building (Public Works)**
 - C. **Resolution 2019-09 – Transfer Vehicle from Building to Parks (Public Works)**
 - D. **Resolution 2019-10 – Transfer Vehicle from Sanitation to WWTP (Public Works)**
 - E. **Resolution 2019-11 – Surplus Property (Public Works)**
 - F. **Quit Claim Deed – V-2019-01 Pring (Public Works)**
 - G. **Quit Claim Deed – V-2019-01 Ewing (Public Works)**

Individuals with disabilities may request reasonable accommodations by calling (509) 769-0131 at least three days prior to meeting.

- II. Quit Claim Deed – V-2019-02 EGSRC Clarkston, LLC (Public Works)
- I. Quit Claim Deed – V-2019-02 Paasch (Public Works)
- J. Quit Claim Deed – V-2019-03 Canna4Life (Public Works)
- K. Quit Claim Deed – V-2019-03 Wahlberg (Public Works)
- L. Authorization to pay GEMT Invoice – WA State HCA (Public Safety)

11. **NEW BUSINESS:**

- A. Ordinance 1625, Budget Modification, 1st Reading (Finance/Admin)
- B. Ordinance 1626, Amend CMC 17.01.040, 1st Reading (Public Works)
- C. Ordinance 1627, Amend CMC 17.10, 1st Reading (Public Works)
- D. Ordinance 1628, Amend CMC 17.15, 1st Reading (Public Works)
- E. Ordinance 1629, Amend CMC 17.20, 1st Reading (Public Works)
- F. Ordinance 1629, Adopt CMC 17.21, 1st Reading (Public Works)
- G. Ordinance 1631, Amend CMC 9.16 Fireworks, 1st Reading (Public Safety)*
*To be distributed at Meeting

12. **COUNCIL COMMENTS:**

13. **QUESTIONS FROM THE PRESS:**

14. **EXECUTIVE SESSION: None**

15. **ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

CLARKSTON CITY COUNCIL MINUTES
May 13, 2019

ROLL CALL: Russ Evans, Pat Holman, Skate Pierce, Joel Profitt, Belinda Larsen, John Murray and Melyssa Andrews.

STAFF: Chief Hastings, Chief Cooper, PWD Poole, Clerk Austin.

AGENDA CHANGES: Modify Item J under Consent Agenda for the Fire Chief to sign the Red Flag Agreement. Add Item O, Interlocal Agreement with the Port of Clarkston to Consent Agenda and add Item K, Joint Representation Letter with Foster Pepper to New Business

APPROVAL OF MINUTES: Minutes of the April 22, 2019 Regular Meeting were approved as distributed.

PUBLIC HEARING: Alley Vacation – 700 Block between 6th and 7th Streets

Mayor Lawrence opened the Public Hearing at 7:04 p.m.

PWD Poole presented council the information on the proposed alley vacation. He explained the location and the petition from the adjoining property owners. The property has been surveyed and appraised. Property owners pay 50% of appraised value. The City will retain the alley that runs north and south between 5th and 6th Streets. Only the alley that runs east and west is vacated.

Mayor Lawrence opened the floor to comments from the public.

PUBLIC COMMENT: None

The public hearing was closed at 7:07 p.m.

COMMUNICATIONS:

- A. From the Public:** Mark Brigham, Port Commissioner
Virginia Copeland, 1404 9th Street
Chuck Dwyer, (Business owner) 1013 Bridge Street
Mark Heuett, (Property Owner) Snake River Avenue, Asotin

B. From Mayor: Mayor Lawrence advised that she had received a letter from a Mr. Belmondo with nice things to say about working with PWD Poole and Inspector Ewing on a building project. She also thanked Greg Kammers for repairing the windmill at Gateway Park.

C. From Staff or Employees: PWD Poole informed Council of temporary and periodic closures on the Southway Bridge for survey and design of the new deck.

D. Presentation from Avista: Mike Tatko: Avista Regional Business Manager Mike Tatko presented Council with an update of the Avista "Smarter Together" program. This includes smart meters to be installed in Asotin County in August. He discussed concerns on RF output. When compared to TV, microwave and cell phone, the smart meters are well below the output compared to these common home items. The only thing that is transmitted in energy usage and is very accurate, detects outage and reports to Avista for quicker response. The program will also allow for end-users to monitor usage online and to adjust mid-month for control of costs. Asotin County customers will be getting a 90-day notice on May 20, June 17, and July 29, with deployment beginning on August 19, 2019. Deployment will continue through the rest of the year, to be completed during 2020.

COMMITTEE REPORTS:

Finance/Admin: Councilmember Murray reported that the Committee discussed the Authorization of the WWTP Vehicle Purchase, the Local Agency Agreement with WSDOT, the Proclamation of May as Older Americans Month, the Cruzin to Clarkston Event Permit, the Interlocal Agreement with the Port, the Letter to Governor Inslee, the Joint Engagement Letter, and reviewed and approved the bills for payment. Total expenditures for the May 13, 2019 period of \$876,777.38 and the April EOM period of \$123.66. MOTION BY ANDREWS/EVANS to approve the bills as read. Motion Carried

Public Safety: Councilmember Larsen reported on the May 7th meeting. Councilmember Evans asked that the council discuss and vote on giving between \$200-\$250 to the EMS Council to help add blood clotting kits to existing AED kits. The EMS Council will ask for the same monetary donation from Asotin County and the City of Asotin. Councilmember Larsen asked that we add Becky Burger with TNT Fireworks to the agenda with a 10-15 minute presentation. Chief Cooper informed us that grant awards for SCBA's have not been announced as of yet. He hopes to hear from the committee in May but by June at the latest. The next round of grant requests for SCBA's will not be until August or September. Chief Hastings reported to Chief Cooper on the active shooter training last week at TSMH. Chief Cooper also talked to City of Lewiston Fire Department about what their procedures are for an active shooter situation. Chief Cooper may at some point, ask for tactical equipment for his department for firefighter on scene safety. Chief Cooper presented us with the stickers that the fire department places on their equipment to make sure that any equipment that may be inadvertently left at a scene, will be returned to our department. Chief also informed us that testing for Reserve/EMT firefighters was completed last weekend and also for volunteers. Chief will decide possibly later this week.

Chief Hastings - the police department, along with other area departments, participated in EVOC (emergency vehicle) training at LCSC's training facility. Chief Hastings met with the Army Corps to discuss the annual contract and the expectations from each. The contract to focus our patrols a little more heavily on the Corps area will begin Memorial Day weekend and end Labor Day weekend. Chief meets with the Corps on a monthly basis throughout the summer. The Chief, along with other members of the jail committee will be traveling to Skagit County to tour their jail facility. Their facility is the newest in the state and currently maintains 400 beds with the ability to expand to an 800-bed facility when the need arises. MOTION BY ANDREWS/EVANS to add Discussion on donation of funds to EMS Council for Blood-Clotting Kits as Item I. Motion Carried

Public Works: Councilmember Pierce reported on the May 7th meeting. The Committee discussed the Parks Commission with Brad Belmondo. Mr. Belmondo has offered to help us with our Parks commission. There was a discussion with the PUD about the takeover of the WWTP. We have begun the decision and impact discussions. PUD and City representatives will meet with the WWTP union tomorrow (5/8/19). The preliminary discussion has shown that there is no impact on the union, as being absorbed by PUD will benefit them. Management of operations will be done via contract until the first callable date on a bond in December of 2023. After that full transfer of the WWTP will begin. Steve DiJulio of Foster Pepper Law offices is going to provide legal representation for this contract. The committee reviewed the WWTP Pickup purchase authorization. The council will need to approve the purchase of the vehicle by contract through the state authorized dealer. Some vehicle transfers within the Public Works Department will require a public hearing, and others will require resolution passed by the council for transfer. The resolutions will be on the agenda for Monday. PWD Poolc provided another update on the alley vacations: There will be a hearing at the Monday meeting. All appraisals and surveys are complete. The Committee is asking the Council to direct the proceeds from the sale of this property are allocated to the Parks Reserve Fund. PWD Poolc talked with WSDOT, they're waiting on a couple of documents from the city. After they are received they will complete the funding obligation for the design costs. On the Bridge/2nd/Diagonal Interchange. The Zoning Commission has approved the Comprehensive Land Use Plan Update and associated zoning and ordinance revisions. The City will get the design done for a Stormwater project at the intersections of 7th and 8th on Poplar St. This will provide a shovel-ready project when grant opportunities come available next year. Having the project ready will help in being awarded the grant. Council will be asked to approve a transfer from the Stormwater reserves to cover the costs of the design. The Committee reviewed the 2019 Road Maintenance Projects. There is an estimated cost

of \$229,859 with a budget of \$250,000. The City is going to contract with JUB Engineers for an aquatic easement survey for the Department of Natural Resources for \$4500.

Outside Organizations:

Councilmember Evans reported on the PTBA meeting from May 8th. PTBA Grants for 2 new buses have been awarded and the vehicles are ordered. The Transit Development Plan for 2019-2024 has been completed as well as the 2018 Annual Report. A Public Hearing will be held on August 14th. There were 1246 more boarding in April compared April 2018. Mayor Lawrence advised that the MPO met and discussed regular business and had a presentation on the Clearwater Memorial bridge from Idaho Transportation Department.

UNFINISHED BUSINESS:

A. Ordinance 1616, Zone Change – 919 Highland Avenue, 2nd Reading (Public Works) MOTION BY HOLMAN/PIERCE to adopt the ordinance. Councilmember Murray asked PWD Poole what uses are allowed in Medical Commercial Zone. PWD Poole advised that uses include apartments, small c-stores, gift stores, and restaurants. He advised that there was no restriction on the size of the building. Councilmember Andrews voted Nay. Motion Carried 6-1.

CONSENT AGENDA: MOTION BY HOLMAN/PROFFIT to approve the consent items. Motion Carried

- A. Findings of Facts Conclusion of Law – Comprehensive Plan (Public Works)**
- B. Resolution 2019-07 – 2019 Amended Comprehensive Plan (Public Works)**
- C. Findings of Facts Conclusion of Law – ZC 2019-02 Fair Street (Public Works)**
- D. Findings of Facts Conclusion of Law – ZC 2019-02 Poplar Street (Public Works)**
- E. Findings of Facts Conclusion of Law – ZC 2019-02 1303 6th Street (Public Works)**
- F. Findings of Facts Conclusion of Law – ZC 2019-02 1313 6th Street (Public Works)**
- G. Findings of Facts Conclusion of Law – ZC 2019-02 1336 5th Street (Public Works)**
- H. Authorization for Purchase – WWTP Vehicle (Finance/Admin)**
- I. Authorization for Mayor to sign Local Agency Agreement (Finance/Admin)**
- J. Authorization for Fire Chief to sign Red Flag Task Force Agreement (Public Safety)**
- K. Proclamation of May as Older Americans Month (Finance/Admin)**
- L. Authorization of Special Event Permit – Cruzin to Clarkston (Finance/Admin)**
- M. Agreement for Professional Services – Keller Associates (Public Works)**
- N. Agreement for Professional Services – J-U-B Engineers, Inc. (Public Works)**
- O. Interlocal Agreement – Port of Clarkston (Finance/Admin)**

NEW BUSINESS:

A. WWTP White Paper (Public Works) PWD Poole introduced Director Tim Simpson, Commissioner Don Nuxoll, and Finance Director Bob Sischo. Poole explained the advantages and disadvantages of transferring to PUD. Commissioner Nuxoll advised Council that the PUD is only willing to explore management of the WWTP if it will be an advantage to the customers, PUD and the City. Councilmember Andrews asked who would cover administrative costs for City staff. Nuxoll advised that PUD would take on the administrative tasks. It would consist of a management contract until the bonds could be refinanced. Councilmember Murray asked Clerk/Treasurer Austin about the City's overhead administrative costs. Austin advised that those costs can be billed to PUD for payment. Councilmember Proffitt advised that this would be the best thing for City of Clarkston.

B. Letter to Jay Inslee regarding Dam Breaching (Finance/Admin) Motion to table PIERCE/ANDREWS. Motion Carried

C. Ordinance 1617, Zone Change – Fair Street, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.

D. Ordinance 1618, Zone Change – Poplar Street, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.

E. **Ordinance 1619, Zone Change – 1303 6th Street, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

F. **Ordinance 1620, Zone Change – 1313 6th Street, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

G. **Ordinance 1621, Zone Change – 1336 5th Street, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

H. **Ordinance 1622, Alley Vacation – Block 18, Lot 11-12, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

I. **Ordinance 1623, Alley Vacation – Block 18, Lot 23-24, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

J. **Ordinance 1624, Alley Vacation – Block 18, Lot 33-34, 1st Reading (Public Works)** 1st Reading, Motion will be at next meeting.

K. **Joint Engagement Letter – Foster Pepper.** Atty Richardson explained the role of Foster Pepper in representing both the PUD and the City of Clarkston in negotiations for the management and ownership of the WWTP. He also discussed how this agreement would provide a cost-savings to both entities. MOTION BY LARSEN/ANDREWS for Mayor to sign engagement letter. Motion Carried.

L. **Discussion on donation of funds to EMS Council for Blood-Clotting Kits (Public Safety)** MOTION BY LARSEN/EVANS to provide up to \$250 for the EMS Council to purchase blood clotting kits to include in existing AED units. Councilmember Evans advised that the kits are \$40 each and will be for locations such as the schools, Costco and Walmart. He advised that the funds might be taken from Ambulance fund. Chief Cooper advised he missed the Public Safety discussion. However, he advised that the Ambulance Fund could cover up to \$250 and would work with EMS council for proper placement of the City's kits. MOTION by PIERCE/EVANS to amend to motion to include the funding through the Ambulance Fund. Amendment Carried. Motion as amended carried.

Point of Order: MOTION BY PIERCE/MURRAY to approve minutes of April 22, 2019 meeting as distributed. Motion carried. (Error – Minutes had been approved.)

COUNCIL COMMENTS: Councilmember Andrews commented that she is not against new business but voted “no” because of voting “no” on the coffee shop, so it would be unfair. Councilmember Evans advised that the coffee shop had more of a traffic problem than this project. Councilmember Pierce commented that he believed that the Council voted wrong on the coffee shop, as it shouldn't have been a vote about traffic, but zoning per the Comprehensive Plan.

PRESS QUESTIONS: Tribune Reporter Sandaine asked for clarification that Andrews was the “nay” vote.

EXECUTIVE SESSION: None

ADJOURNMENT:

Meeting adjourned at 8:29pm.

Steve Austin, City Clerk

Monika Lawrence, Mayor

| | | |
|---------------------------------|------------------|--------------|
| Total Fund Expenditures 5/13/19 | Ck # 68361-68448 | \$568,102.47 |
| Payroll 5/05/19 | Ck # 68329-68357 | \$308,674.91 |

PLANNED UNIT DEVELOPMENT REVIEW AND APPROVAL PROCESS

STAGE 1 - CONCEPTUAL REVIEW

- A general outline of the proposal, including sketch plans to be submitted to the City.
- Written comments from City prior to preparing components of the PUD application.

STAGE 2 – PRELIMINARY PLAN

- Filed after Conceptual Plan Review
- Includes a Master Plan if project is in phases
- If Preliminary Plan is complete and has sufficient information, project is placed on formal review agenda and a Public Hearing is scheduled before the Planning Commission.
- Preliminary Plan shall include
 - Area and dimension of tract of land
 - Location and dimensions of all lots/units
 - Location and dimensions of all streets & sidewalks
 - Location of proposed buildings
 - Location of utility lines/services
 - Existing and proposed site topography, including grading & drainage
 - Location of fire hydrants, dumpsters, fences, etc.
 - Other applicable information

STAGE 3 – FINAL PLAN

- Application for Final Plan is made after Preliminary Plan
- If Final Plan is not substantially the same as Preliminary Plan it must be resubmitted as a Preliminary Plan.
- Final Plan is placed on formal review agenda and a Public Hearing is held before the City Council.
- It may be approved, disapproved or approved with conditions.
- If approved, it will be filed the city and the county auditor.
- Applicant or any other party may appeal the council's decision to Superior Court within 15 days.
- Approval of Final Plan is valid for 36 months. Active development must commence within that time.

REQUIREMENTS OF PLANNED UNIT DEVELOPMENT

STANDARD REQUIREMENTS

- Consistent with Comp Plan
- Design does not create negative impact with surrounding neighborhoods
- Efficient, functional and cohesive plan
- Minimum of 1 ½ acres
- Street system – safe & convenient vehicular movement. Access as required by fire department. No dead-end street longer than 50 feet without adequate culdesac.
- Minimum of 2 off-street parking for each dwelling unit, on or adjacent to unit. Minimum of 1 off-street parking space per 3 units for RV parking.
- Street construction complies with city standards.
- Storm drainage.
- Pedestrian circulation system.
- Adequate water for fire protection and hydrants as required by city.
- 25% of site to be open space, landscaped and open to all residents. Does not include parking, access, storage areas or private patios or courtyards.
- Meet all city design standards for public services.

HOME OWNERS ASSOCIATION

- HOA must be established unless PUD is to be held in single party ownership
- HOA covenants submitted as part of Preliminary & Final Plans. Must be approved before any lots/units are sold.
- Membership is mandatory.
- Open space, easements and other covenants are permanent.
- Power to levy assessments
- Developer maintains responsibilities of HOA until 75% of units are sold.
- Board of directors of HOA of at least 5 members.
- HOA responsible for liability insurance, taxes and maintenance of open space and common facilities.

Public Safety Meeting held 5/21/19.

Our meeting started with a review of the draft ordinances Attorney Richardson had written. We would like to present these ordinances for a first reading at the May 28th meeting with a second reading and a public hearing at our June 10th meeting. Becky Burger will give us a presentation on safe and sane fireworks at our May 28th meeting. Agenda item.

Chief Cooper reviewed with us the Payer Production Statistics of 2017 and 2018. This led to the discussion about the supplemental money we will be receiving from the Ground Emergency Medical Transportation program for the 2017 fiscal year. After paying our share of costs for the program, \$66,239.43, we will, in return, receive \$195,952.93 for our participation. Once we subtract the \$66,239.43, 15% for administration and management costs, we should gross close to over \$100,320.57. We have received some moneys that I have not calculated in to that amount. We will need a budget amendment and ordinance to pay the initial \$66,239.43. Agenda item.

Chief Hastings was absent as he was attending a meeting in Spokane.

Public Works Minutes 5-21-19

Attending: Mayor Lawrence, John Murray, Kevin Poole, Jason Ewing, Joel Profitt, and Skate Pierce.

- 1) Update on WWTP Transfer, and our potential Solar project on that property. If we get the grants, and back out of the deal. We will owe Apollo Solutions 18,000-36,000 based on the level of the grants awarded. Mr. Simpson, with PUD, is going to discuss the solar project with the PUD board.
- 2) 2019 Street Maintenance Project is ready to head out to bid. Bid advertising will run on May 24 and 31st. Bid opening will be on June 4th at 11am. Earlier we discussed using a slurry coat on some sections. We have been advised to do the slurry coat and standard seal coat as two separate bids, next year.
- 3) We had an update on 1513 8th St. We've been given Judicial approval to demolish the buildings. We have a bid that was given earlier by a contractor on the small works roster. We will need to identify where we will source the funds to pay for the initial work. We will need to place a lien on the property to repay the loan. Cost will be \$38,650. This will be on the agenda for Tuesday nights meeting.
- 4) Review of the pamphlets for Fats, Oils and Grease(FOG). FOGs are damaging to our public sewer lines.
- 5) Discussion on the billboard at Bridge and Confluence Way. The Port informed the city that they are not interested in renting the space. We were given a sample Request For Proposal. We would have to advertise to potential companies who would like to lease the land, and put up their own billboards. Council will need to decide how to proceed with this deal. The committee recommends that we allow this property to be a revenue generator for the city. We recommend a longer lease with regular updates to the rates.
- 6) We were given an update on PD-2018-01. This planned development refers to the apartment complex located behind the future hotel on the corner of Bridge and 14th. 36 Unit apartment complex with the entrance situated on Poplar St.
- 7) We were also informed of a planned development at 920 7th St. Also, there is a large list of plan reviews coming up this summer.
- 8) We had a review of Ordinances 17.20 and 17.21 for fencing. Currently the fencing ordinances are a subsection of Exceptions, and should have their own section. We would like to improve the traffic safety of at intersections and improve language of our fencing ordinances to make the rules more clear for homeowners and more enforceable for the city.

ORDINANCE NO. 1617

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on May 6, 2019 to consider a request from Public Works Director Kevin Poole on Zoning Map Change Application No. ZC-2019-02 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Medium Density Residential (R-2) to High Density Residential (R-3) zoning designation:

Fair Street from 5th Street to 390 feet west of 12th Street that is bounded by Service Commercial (SC) and Port Commercial (PC) on the north and Service Commercial (SC) on the south in the City of Clarkston, Asotin County, Washington, according to the recorded plat thereof.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2019.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

ORDINANCE NO. 1618

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on May 6, 2019 to consider a request from Public Works Director Kevin Poole on Zoning Map Change Application No. ZC-2019-02 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Medium Density Residential (R-2) to High Density Residential (R-3) zoning designation:

All Medium Density Residential (R-2) along the north side Poplar Street that is bounded by Service Commercial (SC) from 5th Street on the east end to 15th Street on the west end in the City of Clarkston, Asotin County, Washington, according to the recorded plat thereof.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2019.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

ORDINANCE NO. 1619

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on May 6, 2019 to consider a request from Public Works Director Kevin Poole on Zoning Map Change Application No. ZC-2019-02 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Low Density Residential (R-1) to Neighborhood Commercial (NC) zoning designation:

A parcel of land, comprised of Portion of Lots 1, 2, 3, lying East of Highway, Block 1, Parkway Addition, Asotin County, Washington, located in the South half (1/2) of Section 21, Township 11 North, Range 46 East, Willamette Meridian, City of Clarkston, Asotin County, Washington, according to the recorded plat thereof.

Property is commonly referred to as 1303 6th Street.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2019.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

ORDINANCE NO. 1620

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on May 6, 2019 to consider a request from Public Works Director Kevin Poole on Zoning Map Change Application No. ZC-2019-02 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Low Density Residential (R-1) to Neighborhood Commercial (NC) zoning designation:

A parcel of land, West of Highway, comprised of Portion of Lots 2-6, and North 45 feet of Lot 7, Block 1, Parkway Addition, Asotin County, Washington, located in the South half (1/2) of Section 21, Township 11 North, Range 46 East, Willamette Meridian, City of Clarkston, Asotin County, Washington, according to the recorded plat thereof.

Property is commonly referred to as 1313 6th Street.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2019.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

ORDINANCE NO. 1621

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on May 6, 2019 to consider a request from Public Works Director Kevin Poole on Zoning Map Change Application No. ZC-2019-02 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Low Density Residential (R-1) to Neighborhood Commercial (NC) zoning designation:

A parcel of land, comprised of Portion of Lots 13-16, Block 1, Parkway Addition, Asotin County, Washington, located in the South half (1/2) of Section 21, Township 11 North, Range 46 East, Willamette Meridian, City of Clarkston, County of Asotin, State of Washington, according to the recorded plat thereof.

Property is commonly referred to as 1336 5th Street.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2019.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

ORDINANCE NO. 1622

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, VACATING THAT PORTION OF ALLEY LOCATED BETWEEN LOTS 11 & 12 OF BLOCK 18

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1.0

SECTION 1: Purpose. The purpose of this Ordinance is to vacate that portion of alley located between lots 11 & 12 of Block 18.

SECTION 2: That the owners, John A. Pring III and Russell A. Ewing, of abutting property have petitioned for the vacation of said alley and that notice has been given as required by law and a public hearing was held on May 13, 2019.

SECTION 3: That the alley between lots 11 & 12 of Block 18, is hereby vacated and the City of Clarkston does hereby and forever relinquish any and all claims of right, title and interest to the same and the whole thereof, saving and reserving to the City of Clarkston an easement to go upon said property vacated to build, repair and maintain any public utilities and services thereon, and subject further to any easements, restrictions and rights-of-way for utilities on said property which may now exist thereon.

SECTION 4: Except as otherwise stated herein, this ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

DATED this _____ day of May, 2019.

Monika Lawrence, Mayor

Attest:

Steve Austin, City Clerk

ORDINANCE NO. 1623

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, VACATING THAT PORTION OF ALLEY LOCATED BETWEEN LOTS 23 & 24 OF BLOCK 18

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1.0

SECTION 1: Purpose. The purpose of this Ordinance is to vacate that portion of alley located between lots 23 & 24 of Block 18.

SECTION 2: That the owners, EGSRC Clarkston, LLC. and Neil N. Paasch, of abutting property have petitioned for the vacation of said alley and that notice has been given as required by law and a public hearing was held on May 13, 2019.

SECTION 3: That the alley between lots 23 & 24 of Block 18, is hereby vacated and the City of Clarkston does hereby and forever relinquish any and all claims of right, title and interest to the same and the whole thereof, saving and reserving to the City of Clarkston an easement to go upon said property vacated to build, repair and maintain any public utilities and services thereon, and subject further to any easements, restrictions and rights-of-way for utilities on said property which may now exist thereon.

SECTION 4: Except as otherwise stated herein, this ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

DATED this _____ day of May, 2019.

Monika Lawrence, Mayor

Attest:

Steve Austin, City Clerk

ORDINANCE NO. 1624

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, VACATING THAT PORTION OF ALLEY LOCATED BETWEEN LOTS 33 & 34 OF BLOCK 18

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1.0

SECTION 1: Purpose. The purpose of this Ordinance is to vacate that portion of alley located between lots 33 & 34 of Block 18.

SECTION 2: That the owners, Canna4Life, LLC. and Brent W. Wahlberg, Jr., of abutting property have petitioned for the vacation of said alley and that notice has been given as required by law and a public hearing was held on May 13, 2019.

SECTION 3: That the alley between lots 33 & 34 of Block 18, is hereby vacated and the City of Clarkston does hereby and forever relinquish any and all claims of right, title and interest to the same and the whole thereof, saving and reserving to the City of Clarkston an easement to go upon said property vacated to build, repair and maintain any public utilities and services thereon, and subject further to any easements, restrictions and rights-of-way for utilities on said property which may now exist thereon.

SECTION 4: Except as otherwise stated herein, this ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

DATED this _____ day of May, 2019.

Monika Lawrence, Mayor

Attest:

Steve Austin, City Clerk

Local Agency Contract

THIS AGREEMENT, made and entered into this 29th day of May, 2019,
between the City of Clarkston and

McCall's Classic Construction
945 Beachview Blvd.
Clarkston, WA 99403

hereinafter called the Contractor.
WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this agreement, the parties hereto covenant and agree as follows:

I. The Contractor shall do all work and furnish all tools, materials, and equipment for:

Demolition and removal of house and leveling of lot located at 1513 8th Street, Clarkston, WA per attached quote.

in accordance with and as described in the attached plans and specifications, and the standard specifications of the which are by this reference incorporated herein and made part hereof and, shall perform any changes in the work in accord with the Contract Documents.

The Contractor shall provide and bear the expense of all equipment, work and labor, of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in these Contract Documents except those items mentioned therein to be furnished by .

II. hereby promises and agrees with the Contractor to employ, and does employ the Contractor to provide the materials and to do and cause to be done the above described work and to complete and finish the same in accord with the attached plans and specifications and the terms and conditions herein contained and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices at the time and in the manner and upon the conditions provided for in this contract.

III. The Contractor for himself/herself, and for his/her heirs, executors, administrators, successors, and assigns, does hereby agree to full performance of all covenants required of the Contractor in the contract.

IV. It is further provided that no liability shall attach to the State by reason of entering into this contract, except as provided herein.

IN WITNESS WHEREOF, the Contractor has executed this instrument, on the day and year first below written and has caused this instrument to be executed by and in the name of the day and year first above written.

Executed by the Contractor _____ , _____ ,

(Contractor)

Local Agency: City of Clarkston

Title: Mayor

By: _____

Date: May 29, 2019



O. 798-8946
F. 798-0786

945 Beachview Blvd. Clarkston WA. 99403

WORKING THE QUAD - CITIES NEXT THE WORLD

Submitted to

City of Clarkston
829 5th Street
Clarkston WA 99403

| | |
|-------------|-----------------|
| DATE | Proposal |
| | 2/22/2018 |

Washington Contractors Registration No.
MCCALCCO24K1
Public Works Contractors License No.
14493-A-4 (7,9,16.22.32.43)

Attn: Kevin Poole

PROJECT

1513 8th st. Demo/Abatement

| Description | Amount |
|--|--------------|
| THIS WORK INCLUDES | |
| Sump/ Pump Sewage from Basement to City Sewer Via Manhole in ROW. | |
| Remove Solid wastes via Water Truck/Trash Pump. | |
| Demo Entire Home complete with Belongings/Furniture/appliances. | |
| Remove Concrete Floor and Foundation Walls and Footers | |
| Infill Basement with Fill. Compact in 8"-12" Lifts. | |
| Cap and Mark Sewer Stub to Main (for future) | |
| Clean up Site and Level Lot. | \$ 38,650.00 |
| <i>Excludes Engineering, Staking, Surveying, Permits, and Buy in Fees.</i> | |

| | |
|-----------------------|---------------------|
| Total | \$ 38,650.00 |
| W.S.S.T. | 0.0% |
| Total With Tax | \$ 38,650.00 |

RESOLUTION NO. 2019-08

A RESOLUTION TRANSFERRING EQUIPMENT FROM THE WASTE WATER TREATMENT PLANT TO THE BUILDING DEPARTMENT

WHEREAS, the Clarkston Waste Water Treatment Plant owns the following vehicle:

2009 Chevy Pickup

VIN # 3GCEK13CX9G232030

WHEREAS, the Public Works Director has determined the Waste Water Treatment Plant has no further need for this equipment;

WHEREAS, the Building Department does have a need for the pickup;

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the listed vehicle will be transferred from the WWTP to the Building Department for the sum of \$750.00.

DATED this 28th day of May, 2019.

Monika Lawrence, Mayor

Steve Austin, City Clerk

RESOLUTION NO. 2019-09

A RESOLUTION TRANSFERRING EQUIPMENT FROM THE BUILDING DEPARTMENT TO THE PARKS DEPARTMENT

WHEREAS, the Clarkston Building Department owns the following vehicle:

2001 Chevy Sonoma Pickup VIN # 1GTCS19W218212857

WHEREAS, the Public Works Director has determined the Building Department has no further need for this equipment;

WHEREAS, the Parks Department does have a need for the pickup;

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the listed vehicle will be transferred from the WWTP to the Building Department for the sum of \$500.00.

DATED this 28th day of May, 2019.

Monika Lawrence, Mayor

Steve Austin, City Clerk

RESOLUTION NO. 2019-10

**A RESOLUTION TRANSFERRING EQUIPMENT FROM THE
SANITATION DEPARTMENT TO THE WASTE WATER TREATMENT PLANT**

WHEREAS, the Clarkston Sanitation Department owns the following vehicle:

1997 Mack Garbage Truck VIN # 1M2K195C7WM010440

WHEREAS, the Public Works Director has determined the Sanitation Department has no further need for this equipment;

WHEREAS, the Waste Water Treatment Plant does have a need for the pickup;

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the listed vehicle will be transferred from the WWTP to the Building Department for the sum of \$1000.00.

DATED this 28th day of May, 2019.

Monika Lawrence, Mayor

Steve Austin, City Clerk

RESOLUTION NO. 2019-11

A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING DISPOSITION OF SAID PROPERTY.

WHEREAS, the City of Clarkston is the legal owner of the following property:

| | |
|------------------------------|-------------------------|
| 1976 F8000 Ford Water Tanker | VIN # R80DVC60941 |
| 1986 Chevy 2500 Pickup | VIN # 2GCFC24H8G1173230 |
| 1974 Ford F600 Dump Truck | VIN #F61EVA51946 |
| 1986 Ford Garbage Truck | VIN #1FDXD80V1GVA04586 |
| Hale Pump | |
| Champion Air Compressor | |
| Water Tank | |
| Hose Reel | |

WHEREAS, the Public Works Director has determined the departments have no further need for this equipment;

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the listed equipment surplus and authorizes disposal as follows:

The Public Works Director is authorized to sell the 1976 F8000 Ford Water Tanker, 1986 Chevy 2500 Pickup, 1974 Ford F600 Dump Truck, 1986 Ford Garbage Truck, Hale Pump, Champion Air Compressor, Water Tank and Hose Reel as is, with no implied warranty.

Any property not sold may be disposed of at the direction of the Public Works Director.

DATED this 28th day of May, 2019

Monika Lawrence, Mayor

Steve Austin, City Clerk

QUIT CLAIM DEED

THE GRANTORS, CITY OF CLARKSTON, WASHINGTON, a city incorporated in the State of Washington, for and in consideration of alley vacation VA-2019-01, for the monetary sum of Four Thousand Four Hundred Eighty and No/100 Dollars (\$4,480.00) for the convey and quit claim to the GRANTEE, JOHN A. PRING III, P.O. Box 913, Lewiston, ID 83501, the following described real estate situated in the County of Asotin, State of Washington:

The North 7.50 feet of the Alley between Lots 11 and 12 of Block 18 of Clarkston, Asotin County, Washington.

To be combined with Parcel # 10011901500000000, described as:

Lots 12 to 15, Block 19, of Clarkston, Asotin County, Washington.

DATED this _____ day of _____, 2019.

MONIKA LAWRENCE, MAYOR

STATE OF WASHINGTON)
)ss.
County of Asotin)

I certify that I know or have satisfactory evidence that MONIOKA LAWRENCE is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in this instrument.

DATED this _____ day of _____, 2019.

Notary Public in and for the State of Washington
Residing in _____
My appointment expires: _____

QUIT CLAIM DEED

THE GRANTORS, CITY OF CLARKSTON, WASHINGTON, a city incorporated in the State of Washington, for and in consideration of alley vacation VA-2019-01, for the monetary sum of Four Thousand Four Hundred Eighty and No/100 Dollars (\$4,480.00) for the convey and quit claim to the GRANTEE, RUSSELL A. EWING, 7524 Pheasant Chase Dr., Lewiston, ID 83501, the following described real estate situated in the County of Asotin, State of Washington:

The South 7.50 feet of the Alley between Lots 11 and 12 of Block 18 of Clarkston Asotin County, Washington.

To be combined with Parcel # 10011901100010000, described as:

Lot 11 and North 7.5 feet of Lot 10, Block 19, Clarkston, Asotin County, Washington.

DATED this _____ day of _____, 2019.

MONIKA LAWRENCE, MAYOR

STATE OF WASHINGTON)
)ss.
County of Asotin)

I certify that I know or have satisfactory evidence that MONIOKA LAWRENCE is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in this instrument.

DATED this _____ day of _____, 2019.

Notary Public in and for the State of Washington
Residing in _____
My appointment expires: _____

QUIT CLAIM DEED

THE GRANTORS, CITY OF CLARKSTON, WASHINGTON, a city incorporated in the State of Washington, for and in consideration of alley vacation VA-2019-02, for the monetary sum of Three Thousand Nine Hundred and No/100 Dollars (\$3,900.00) for the convey and quit claim to the GRANTEE, EGSRC CLARKSTON, LLC, AN ARIZONA LIMITED LIABILITY COMPAN, 3622 N. 34th Ave., Phoenix, AZ 85017, the following described real estate situated in the County of Asotin, State of Washington:

The North 7.50 feet of the Alley between Lots 23 and 24 of Block 18 of Clarkston Asotin County, Washington.

To be combined with Parcel #60011802300000000, described as:

Lots 17 to 23, Block 18, Clarkston, Asotin County, Washington.

DATED this _____ day of _____, 2019.

MONIKA LAWRENCE, MAYOR

STATE OF WASHINGTON)
)ss.
County of Asotin)

I certify that I know or have satisfactory evidence that MONIOKA LAWRENCE is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in this instrument.

DATED this _____ day of _____, 2019.

Notary Public in and for the State of Washington
Residing in _____
My appointment expires: _____

QUIT CLAIM DEED

THE GRANTORS, CITY OF CLARKSTON, WASHINGTON, a city incorporated in the State of Washington, for and in consideration of alley vacation VA-2019-02, for the monetary sum of Four Thousand Four Hundred Thirty and No/100 Dollars (\$4,430.00) for the convey and quit claim to the GRANTEE, NEIL N. PAASCH, 1410 8th St., Clarkston, WA 99403, the following described real estate situated in the County of Asotin, State of Washington:

The South 7.50 feet of the Alley between Lots 23 and 24 of Block 18 of Clarkston Asotin County, Washington.

To be combined with Parcel # 10011802500010000, as described as:

Lots 24 and North 10 feet of Lot 25, Block 18, of Clarkston, Asotin County, Washington.

DATED this _____ day of _____, 2019.

MONIKA LAWRENCE, MAYOR

STATE OF WASHINGTON)
)ss.
County of Asotin)

I certify that I know or have satisfactory evidence that MONIOKA LAWRENCE is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in this instrument.

DATED this _____ day of _____, 2019.

Notary Public in and for the State of Washington
Residing in _____
My appointment expires: _____

QUIT CLAIM DEED

THE GRANTORS, CITY OF CLARKSTON, WASHINGTON, a city incorporated in the State of Washington, for and in consideration of alley vacation VA-2019-03, for the monetary sum of Four Thousand Five Hundred Thirty and No/100 Dollars (\$4,530.00) for the convey and quit claim to the GRANTEE, CANNA4LIFE, LLC C/O KELLY & JULIE JACKSON, P.O. Box 37, Clarkston, WA 99403, the following described real estate situated in the County of Asotin, State of Washington:

The North 7.50 feet of the Alley between Lots 33 and 34 of Block 18 of Clarkston Asotin County, Washington.

To be combined with Parcel # 10011903300000000, as described as:

Lots 32 and 33, Block 19, Clarkston, Asotin County, Washington.

DATED this ____ day of _____, 2019.

MONIKA LAWRENCE, MAYOR

STATE OF WASHINGTON)
)ss.
County of Asotin)

I certify that I know or have satisfactory evidence that MONIOKA LAWRENCE is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in this instrument.

DATED this ____ day of _____, 2019.

Notary Public in and for the State of Washington
Residing in _____
My appointment expires: _____



STATE OF WASHINGTON
HEALTH CARE AUTHORITY
626 8th Avenue, S.E. • P.O. Box 45500
Olympia, Washington 98504-5500
9489 0090 0027 6081 4521 61

CITY OF CLARKSTON
Attn: Billing Administrator
820 5th Street
Clarkston, WA 99403

| | |
|--------------|-------------|
| Invoice Date | 5/3/2019 |
| IGT Share | \$66,239.43 |

Dear Billing Administrator,

The Washington State Health Care Authority (HCA) has computed the supplemental GEMT payment for calendar year (CY) 2017 managed care claims for **CITY OF CLARKSTON (NPI - 1043442759)** under the Ground Emergency Medical Transportation (GEMT) Program.

In accordance with section F, subsection 3, of the GEMT State Plan HCA has reconciled qualified payments with actual claims, payment and cost data from the GEMT participating provider's final CMS-approved Cost Reports for CY2017. This analysis compared the number of qualifying transports performed under each managed care organization, total dollars your organization received for ground emergency transportation claims and any third party liability payments to what was paid under GEMT. The results showed that **\$195,952.93** is due to your organization. Of this amount, **\$66,239.43** is due from your organization for the intergovernmental transfer (IGT).

HCA requests the IGT be performed within **30 calendar days** of the receipt of this letter.

Payment via Electronic Funds Transfer (EFT) is preferred with a reference to "**CY 2017 GEMT IGT**". For assistance with setting up an EFT, please contact Terenna Eggebroten, Financial Services-Accounting, 360-725-1974 or terenna.eggebroten@hca.wa.gov.

If remitting payment by check, please send to the following address with a copy of this letter, or the following description noted on the check "**CY 2017 GEMT IGT**". Please mail a check made out to:

Health Care Authority
Office of Accounting Services
PO Box 42691
Olympia, WA 98504-2691

The payments due to your organization will be sent from each of the managed care organizations.

ORDINANCE NO. 1625

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1613 WHICH ADOPTED THE 2019 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2019 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2019 budget, now therefore,

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

Section 1. Budget Amended. Section 2 of Ordinance No. 1613 passed by the City Council on December 20, 2018, shall be increased and amended as follows:

| | EXPENDITURES | OTHER FINANCING USES |
|--------------------------|----------------|----------------------|
| CURRENT EXPENSE (001) | 1,250 | |
| COMMUNITY PROJECTS (007) | \$38,650 | |
| VEHICLE/EQUIP (16) | | 1,250 |
| AMBULANCE FUND (120) | \$66,293 | |
| SEWER O & M FUND (400) | | 750 |
| SANITATION (410) | | 1,000 |
| TOTALS | 106,193 | 3,000 |

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2019 budget on or before December 31, 2019, as set forth in attached Exhibit A.

Section 3. Severability Clause. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

DATED the ____ day of _____, 2019.

Authenticated:

Monika Lawrence, Mayor

Steve Austin, City Clerk

**BUDGET AMENDMENT No 1 - 2019
ORDINANCE NO. 1625**

| Account Description | Adopted Bdgt | Amendment | Amended Bdgt | Explanation |
|---------------------------------------|--------------|-------------|--------------|------------------------------------|
| EXPENDITURES | | | | |
| GENERAL FUND | | | | |
| 001 000 090 594 58 64 10 | \$ - | \$ 750 | \$ 750 | Purchase Vehicle from WWTP |
| 001 000 110 594 76 64 10 | \$ - | \$ 500 | \$ 500 | Purchase Vehicle from Econ Develop |
| 001 999 001 508 80 00 00 | \$ 743,019 | \$ (1,250) | \$ 741,769 | Adjust End Bal |
| TTL EXPENDITURES | \$ | \$ 1,250 | \$ | |
| COMMUNITY PROJECTS FUND | | | | |
| 007 000 043 594 76 63 00 | \$ - | \$ 38,650 | \$ 38,650 | 1513 8th Remediation |
| 103 999 130 508 80 00 00 | \$ 40,019 | \$ (38,650) | \$ 1,369 | Adjust End Bal |
| TTL EXPENDITURES | \$ | \$ 38,650 | \$ | |
| VEHICLE/EQUIP REPLACEMENT FUND | | | | |
| 016 000 220 597 21 00 20 | \$ 43,000 | \$ 1,250 | \$ 44,250 | Vehicles for 090 / 110 |
| 120 999 084 508 80 00 00 | \$ 505,532 | \$ (1,250) | \$ 504,282 | Adjust End Bal |
| TTL EXPENDITURES | \$ | \$ 1,250 | \$ | |
| AMBULANCE / EMS FUND | | | | |
| 120 000 084 522 70 41 90 | \$ 54,925 | \$ 66,239 | \$ 121,164 | GEMT State share |
| 400 999 140 508 80 00 00 | \$ 277,113 | \$ (66,239) | \$ 210,874 | Adjust End Bal |
| TOTAL EXPENDITURES | \$ | \$ 66,239 | \$ | |
| REVENUES | | | | |
| GENERAL FUND | | | | |
| 001 000 001 395 10 00 00 | \$ - | \$ 1,250 | \$ 1,250 | Vehicles for 090 / 110 |
| TOTAL REVENUES | \$ | \$ 1,250 | \$ | |
| SANITATION O&M FUND | | | | |
| 410 000 150 395 10 00 00 | \$ - | \$ 1,000 | \$ 1,000 | Vehicle for 400 |
| TOTAL REVENUES | \$ | \$ 1,000 | \$ | |

ORDINANCE 1626

**AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON,
AMENDING CLARKSTON MUNICIPAL CODE 17.01.040 TO AMEND THE
DEFINITIONS TO ZONING GENERAL PROVISIONS**

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLARKSTON,
WASHINGTON ORDAINS AS FOLLOWS:

SECTION 1.0 AMENDMENT OF CHAPTER 17.01.040

Clarkston Municipal Code Chapter 17.01.040 is hereby amended as follows:

“Front lot line” means the property line separating the lot from the street, other than an alley. In the case of a corner lot, ~~this means the shortest property line along a street~~ the building official shall designate the front lot line; on an interior lot, the lot line abutting the street; on a through lot, the lot line abutting a street providing the primary access to the lot; or on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

“Height of building” means the vertical distance from the grade to the highest point of the coping of a flat roof to the deck lines of a mansard roof, or the ~~average height of the highest gable of a pitch or hip point of the roof.~~

“Town house” means a single-family house of two or sometimes three stories that is usually connected to a similar house by a common sidewall. Sometimes referred to as a row house.

SECTION 2.0 EFFECTIVE DATE

This ordinance shall take effect five days after its passage, approval, and publication.

Dated this _____ day of _____, 2019.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date:

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING CLARKSTON MUNICIPAL CODE 17.10 TO AMEND THE ZONING USE ZONES

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON ORDAINS AS FOLLOWS:

SECTION 1.0 AMENDMENT OF CHAPTER 17.10.010

Clarkston Municipal Code Chapter 17.10.10 is hereby amended as follows:

(10) Neighborhood Commercial – N-C Zone. The neighborhood commercial zone is intended to provide commercial uses for the day to day needs of the immediate neighborhood. This zone is intended to be small while still providing commercial uses to those living nearby. The intent is to ensure compatibility with the vicinity neighborhood character and to reduce trip length and frequency by allowing only those uses that primarily serve the neighborhood and that do not have a tendency to draw traffic from outside the neighborhood. *The use of existing buildings in the neighborhood is encouraged to retain the nature and character of the existing neighborhood.* Convenience goods (e.g., goods, pharmacy, and sundries) along with personal services (e.g., dry cleaning, barbershops or beauty shops) are common goods and services offered. [Ord. 1528 § 1, 2014; Ord. 1392 § 1, 2004; Ord. 1138 § 1, 1992. Code 1966 § 17.03.010.]

SECTION 2.0 AMENDMENT OF CHAPTER 17.10.030

Exclusionary Zoning

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | P-C | H-I | Parking |
|--------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|
| Aircraft hangar | N | N | N | N | N | N | N | Y | Y | Q |
| Adult family home | Y | Y | Y | N | N | N | Y | N | N | D |
| Apartment houses | N | Y** | Y | N | N | YN | Y | Y | N | B |
| Arcade | N | N | N | Y | Y | Y | N | N | N | Q |
| Asphalt plant | N | N | N | N | N | N | N | N | Y | O |
| Automobile body repair shop | N | N | N | Y | N | N | N | Y | N | M |
| Automobile rental | N | N | N | Y | N | N | N | Y | N | M |
| Automobile sales or service | N | N | N | Y | N | N | N | Y | N | M |
| Automobile storage | N | N | N | Y | N | N | N | Y | Y | O |
| Bakery | N | N | N | Y | Y | Y | N | Y | N | N |
| Bank/financial institution | N | N | N | Y | Y | Y | N | N | N | L |
| Bar, tavern or cocktail lounge | N | N | N | Y | N | Y | N | Y | N | P |
| Beauty, barbershop | N | N | N | Y | Y | Y | Y | N | N | K |
| Bed and breakfast inn | CU | CU | Y | Y | YN | Y | Y | N | N | C |
| Billboard | N | N | N | N | N | N | N | N | N | |
| Boat building or repair | N | N | N | Y | N | N | N | Y | Y | N |
| Boat/mobile home | N | N | N | Y | N | N | N | Y | N | M |
| Boat moorage, commercial | N | N | N | Y | N | N | N | Y | Y | L |
| Bottling plant | N | N | N | N | N | N | N | N | Y | O |
| Bowling alley | N | N | N | Y | N | Y | N | Y | N | I |
| Brewery/distillery/winery | N | N | N | Y | N | Y | N | Y | Y | Q |
| Building supply outlet | N | N | N | Y | N | Y | N | Y | Y | L |

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | P-C | H-I | Parking |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|
| Furniture refinishing | N | N | N | Y | N | N | N | Y | Y | M |
| Garage, private | Y | Y | Y | Y | N | N | Y | N | N | Q |
| Garage, repair | N | N | N | Y | N | N | N | Y | Y | N |
| Gas station | N | N | N | Y | Y | N | N | Y | Y | L |
| Gift shop | N | N | N | Y | Y | Y | N | Y | N | L |
| Grain storage | N | N | N | N | N | N | N | Y | Y | Q |
| Hazardous waste facility | N | N | N | N | N | N | N | N | Y | O |
| Health club, private | N | N | N | Y | Y | Y | N | Y | N | L |
| Home occupation | Y | Y | Y | N | N | N | N | N | N | Q |
| Hospital | N | N | N | N | N | N | Y | N | N | D |
| Hotel | N | N | N | Y | N | Y | Y | Y | N | C |
| Ice manufacturer – Cold storage plant | N | N | N | N | N | N | N | Y | Y | O |
| Industrial use, heavy | N | N | N | N | N | N | N | N | Y | O |
| Industrial use, light | N | N | N | Y | N | N | N | Y | Y | O |
| Junkyard | N | N | N | N | N | N | N | N | N | |
| Kennel | N | N | N | N | N | N | N | N | Y | M |
| Laundry, commercial/industrial | N | N | N | Y | N | N | N | Y | N | K |
| Laundry, self serve | N | N | N | Y | Y | Y | N | Y | N | J |
| Machine shop | N | N | N | Y | N | N | N | Y | Y | N |
| Manufacturing | N | N | N | N | N | N | N | Y | Y | O |
| Manufactured house | Y | Y | Y | N | N | N | Y | N | N | A |
| Manufactured housing park | N | N | Y* | N | N | N | N | N | N | A |
| Marijuana, retail/medical processing ¹ | N | N | N | N | N | N | N | N | Y | O |
| Marijuana, retail/medical production ¹ | N | N | N | N | N | N | N | N | Y | O |
| Marijuana, retail/medical retail sales ¹ | N | N | N | Y | N | Y | N | Y | N | K |
| Marina | N | N | N | N | N | N | N | Y | Y | L |
| Meat packing plant | N | N | N | N | N | N | N | Y | Y | O |
| Medically related professional office | N | N | Y* | Y | Y | Y | Y | Y | N | K |
| Medical, dental, optical laboratory | N | N | N | Y | N | Y | Y | Y | N | K |
| Mobile home park | N | N | Y* | N | N | N | N | N | N | A |
| Monument works | N | N | N | Y | N | Y | N | Y | Y | N |

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | P-C | H-I | Parking |
|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Mortuary | N | N | N | Y | N | N | Y | N | N | L |
| Motel | N | N | N | Y | N | N | N | Y | N | C |
| Nursery for flowers and | N | N | N | Y | Y | N | N | Y | Y | M |
| Nursing home | Y | Y | Y | N | N | N | Y | N | N | D |
| Parking lot | N | N | CU | Y | Y | Y | Y | Y | Y | Q |
| Petroleum storage | N | N | N | N | N | N | N | N | Y | Q |
| Photo studio | N | N | N | Y | Y | Y | N | Y | N | K |
| Planned development | Y | Y | Y | Y | Y | Y | Y | N | N | A |
| Print shop | N | N | N | Y | N | Y | N | Y | N | M |
| Public utility yard | N | N | N | N | N | N | N | Y | Y | Q |
| Recreational facility, public | CU | CU | CU | CU | N | N | N | CU | N | Q |
| Recreational vehicle park | N | N | CU | Y | N | N | N | N | N | B |
| Recycling center | N | N | N | N | N | N | N | N | Y | Q |
| Recycling collection point | Y | Y | Y | Y | Y | Y | Y | Y | Y | Q |
| Recycling plant | N | N | N | N | N | N | N | N | Y | O |
| Rendering plant | N | N | N | N | N | N | N | N | N | |
| Research laboratory | N | N | N | Y | N | N | Y | Y | Y | L |
| Restaurant | N | N | N | Y | Y | Y | N | Y | N | P |
| Restaurant, drive-in | N | N | N | Y | Y | N | N | N | N | P*** |
| Retail store (floor area <2,500 sq. ft.) | N | N | N | Y | Y | Y | N | Y | N | M |
| Retail store (floor area >2,500 sq. ft.) | N | N | N | Y | N | Y | N | Y | N | M |
| Sanitary landfill | N | N | N | N | N | N | N | N | N | Q |
| Sales, occasional | N | N | N | Y | Y | Y | N | Y | N | K |
| Schools (college) | N | N | N | Y | N | N | Y | N | N | H |
| Schools (K – 12) | Y | Y | Y | Y | N | N | N | N | N | H |
| Second-floor apartment | Y | Y | Y | Y | Y | Y | Y | Y | N | B |
| Service station | N | N | N | Y | N | N | N | Y | N | L |
| Sign shop | N | N | N | Y | N | Y | N | Y | N | N |
| Single-family dwelling | Y | Y | Y | N | N | N | Y | N | N | A |
| Storage rental unit | N | N | N | Y | N | N | N | Y | N | Q |
| Terminal yard, trucking | N | N | N | N | N | N | N | Y | Y | Q |
| <u>Townhouse</u> | <u>N</u> | <u>Y</u> | <u>Y</u> | <u>N</u> | <u>Y</u> | <u>N</u> | <u>Y</u> | <u>N</u> | <u>N</u> | <u>A</u> |
| Tire shop | N | N | N | Y | N | N | N | Y | Y | M |
| Theater, interior | N | N | N | Y | N | Y | N | N | N | E |
| Transportation facility | N | N | N | N | N | N | N | Y | Y | Q |

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | P-C | H-I | Parking |
|-------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|
| Truck and tractor repair | N | N | N | N | N | N | N | Y | Y | M |
| Upholstery shop | N | N | N | Y | N | Y | N | Y | Y | N |
| Veterinary clinic | N | N | N | Y | N | N | N | Y | Y | M |
| Warehouse | N | N | N | Y | N | N | N | Y | Y | O |
| Wholesale distributing facility | N | N | N | Y | N | N | N | Y | Y | O |
| Wireless telecommunication facility | Y* | CU |
| Wood processing plant | N | N | N | N | N | N | N | Y | Y | O |
| Wrecking yard | N | N | N | N | N | N | N | N | N | O |

* Review special requirements.

** Maximum of four 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.

1 Review special state requirements.

(2) Distinction Between Downtown Commercial Area and Service Commercial Area. Clarkston's downtown business district is a concentrated mix of commercial uses which are primarily pedestrian-oriented. This orientation is complemented by generous on-street and off-street parking.

The service commercial areas are primarily one-stop activities which are vehicular-oriented. This orientation is complemented by ready access from and locations on major arterial streets.

Recognizing these distinctions, certain land uses are appropriately located in the service commercial area which are not appropriate or compatible with the downtown commercial area. These uses are:

- Auto body repair shop
- Auto sales and service
- Auto storage
- Boat building or repair
- Boat and mobile home sales/service
- Bottling plant
- Cabinet/furniture shop
- Car wash
- Commercial boat moorage
- Convenience store
- Dependent mobile home park
- Drive-in theater
- Farm or heavy equipment sales/service
- Food store > 2,500 square feet
- Frozen food locker
- Furniture refinishing
- Garage, private
- Garage, repair

Kennel
 Marina
 Motel
 Nursery for flowers and plants
 Recreational vehicle park
 Recycling center
 Schools (college)
 Service station
 Storage rental unit
 Tire shop
 Veterinary clinic
 Warehouse
 Wholesale distributing facility

REQUIREMENTS

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | H-I P-C |
|--|--------------------|---|---------------------------------------|-------|--------------------|-----|--------------------|------------|
| General requirements: | | | | | | | | |
| Minimum lot size in square feet | 5,000 | 5,000 ₆ | 5,000 ₆ | 5,000 | 5,000 ₆ | NA | 5,000 ₆ | NA |
| Area required for additional dwelling units (s.f.) | 3,500 ¹ | 2,500 ₂ <small>2000 2.8</small> | 1,500 <small>0₆</small> | NA | NA | NA | NA | NA |
| Minimum lot width | 50 | 50 | 50 | 50 | 50 | NA | NA | NA |
| Minimum lot depth | 100 | 100 | 100 | 100 | 100 | NA | NA | NA |
| Primary building: | | | | | | | | |
| Front yard setback | 25 | 20 | 20 | 15 | 15 | 0 | 20 | 0 |

| | R-1 | R-2 | R-3 | S-C | N-C | D-C | M-C | H-I P-C |
|---|----------------------|-----------------------------------|-----------------------------------|----------------------|----------------------|-----|----------------------|------------|
| Rear yard setback | 15 | 15 | 15 | 15 | 15 | 0 | 15 | 0 |
| Side yard setback | 7 or 40 ⁶ | 7 ₅ or 40 ⁶ | 7 ₅ or 40 ₅ | 5 | 5 ₅ | 0 | 5 ₅ | 0 |
| Side yard setback, corner lot, street side | 15 | 15 | 15 | 0 | 0 | 0 | 0 | 0 |
| Auxiliary building: (less than 120 s.f.) | | | | | | | | |
| Front yard setback | 25 | 20 | 20 | 15 | 15 | 0 | 20 | 0 |
| Rear yard setback | 3 | 3 | 3 | 0 or 15 ³ | 0 or 15 ₃ | 0 | 0 or 15 ₃ | 0 |
| Side yard setback | 3 | 3 | 3 | 0 or 15 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 | 15 | 0 | 20 | 0 |
| Rear yard setback | 3 or 10 ⁴ | 3 or 10 ⁴ | 3 or 10 ⁴ | 0 or 15 ³ | 0 or 15 ³ | 0 | 0 or 15 ³ | 0 |
| Side yard setback | 5 | 5 | 5 | 0 or 15 ³ | 0 or 15 ³ | 0 | 0 or 15 ³ | 0 |
| Maximum lot coverage by structures | 40% | <u>50</u> 45% | 50% | 60% | 60% | 100% | 60% | 100% |
| Building height limit | 35 ₇ | 35 ₇ | 35 ₇ | 50₇ 35 | 35 ₇ | <u>50₇ 35</u> | <u>50₇ 35</u> | <u>50₇ 35</u> |

- 1 To a maximum of two units contained within a single structure (duplex), and one structure per lot.
- 2 To a maximum of four 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. 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, seven on one side and 10 on the other if no alley access. Townhouse common wall (fire separated wall) may have a zero foot setback. The exposed end walls (non-fire rated assembly) shall meet the setback as described in respective zone.~~
- 6 Individual townhouses are exempt from the minimum lot size. The total land area the townhouse complex is located on must meet the minimum lot size and additional dwelling unit area requirements.
- 7 Building height limit is for primary structures in R-1, R-2, R-3, and NC zones. Auxiliary building height in R-1, R-2, R-3, and NC zones are restricted to 16 foot wall height. Any building in SC, PC, MC, and HI zones are limited to a maximum height of 50 feet. Building height in an MC zone is limited to 35 feet if the building property borders an R-1, R-2, or R-3 zone

NOTE: The maximum eave overhang or other building projection allowed is four inches for every 12 inches of required setback. The required setback is measured from the property line to the outside of the foundation wall.

SECTION 3.0 AMENDMENT OF CHAPTER 17.10.060

- (1) Construction Exception. For residential occupancy during the period of construction of a dwelling unit on the same site, within the corporate limits of the city upon the following conditions:
- (a) The unit shall be connected to the city sewer;
 - (b) A permit shall be obtained from the city;
 - (c) The cost of the permit shall be ~~\$50.00~~ *as outlined in CMC 15.40.*;
 - (d) The permit shall authorize the temporary occupancy of the unit for a 90-day term. The term shall begin when the permit is issued;

- (e) An additional permit may be issued when a 90-day term expires upon payment of an additional ~~\$50.00~~ permit fee *as outlined in CMC 15.40*. However, no more than three permits may be issued to any individual in any 12-month period;
 - (f) A permit will not be issued until a building permit has been issued for the dwelling unit;
 - (g) The RV shall be located off the public right-of-way at all times and located no closer than five feet to property lines.
- (2) Hardship Exception. Relates to the need for on-site care of a family member with the use of an RV by either the care giver or the recipient of the care. Such exception will be reviewed and acted upon on a case-by-case basis. The approval of a hardship exception will be based on one or more of the following criteria:
- (a) The unit shall be connected to the city sewer;
 - (b) A permit shall be obtained from the city;
 - (c) The cost of the permit shall be ~~\$50.00~~ *as outlined in CMC 15.40* and authorizes use for a six-month period;
 - (d) A doctor's statement verifying need of continual care due to a person's physical or mental health may be required;
 - (e) Utilization by family members only;
 - (f) No income may be derived from the temporary mobile home;
 - (g) Property owner may renew for an additional six-month period. Renewal will require an additional \$50.00 permit fee. Renewal will be based on the criteria herein;
 - (h) The RV shall be located off the public right-of-way at all times and shall be located on the property where the care is given or received;

SECTION 4.0 EFFECTIVE DATE

This ordinance shall take effect five days after its passage, approval, and publication.

Dated this _____ day of _____, 2019.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date:

ORDINANCE 1628

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING CLARKSTON MUNICIPAL CODE 17.15 TO AMEND THE DEFINITIONS TO ZONING SUPPLEMENTARY REGULATIONS

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON ORDAINS AS FOLLOWS:

SECTION 1.0 AMENDMENT OF CHAPTER 17.15.020

Clarkston Municipal Code Chapter 17.15.020 is hereby amended as follows:

A clear-vision area shall be maintained on the corners of all property adjacent to the intersection of two streets. A clear-vision area shall contain no planting, fence or other temporary or permanent obstruction exceeding three feet in height, measured from the top of the curb, or where no curb exists from the established centerline grade of the street, except that trees exceeding three feet *in height* may be permitted if the property owner meets requirements in CMC 13.20 ~~all branches and foliage to a height of eight feet above the top of the curb or established centerline grade are removed.~~

SECTION 2.0 AMENDMENT OF CHAPTER 17.15.030

A clear-vision area shall consist of a triangular area two sides of which are street lines and the third side of which is a line across the corner of the lot connecting the ends of the other two sides. The size of a clear-vision area is determined by the distance from the intersection of the two street lines to the third side, measured along the street along the face of curb or as determined by the Public Works Director if no curb is present. The size shall be as follows:

SECTION 3.0 ADDITION OF CHAPTER 17.15.035

17.15.035 Building Height

Building height shall be no greater than 35 feet in an R-1 Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential, or NC Neighborhood Commercial zone. Building height shall be no greater than 50 feet in an DC Downtown Commercial, PC Port Commercial, SC Service Commercial, or HI Heavy Industrial zone. Building height in an MC Medical Commercial zone shall be no greater than 50 feet. If the building in an MC Medical Commercial zone is shares a property line with a property zoned R-1 Low Density Residential, R-2 Medium Density Residential, or R-3 High Density Residential, the building height shall be no greater than 35 feet.

SECTION 4.0 AMENDMENT OF CHAPTER 17.15.040

(4) No portion of an accessory building located in a R1 Low Density Residential residential zone shall be used for the conduct of a home occupation. Accessory building in an R2 Medium Density Residential zone and R3 High Density Residential may be used for the conduct of a home occupation business as defined in CMC 17.01.

(5) Accessory uses shall be permitted in the rear yard areas only. A private garage may be located in front and side yards if all setback requirements for the principal use structure and the accessory building are met for the accessory use.

(6) Subject to the following restrictions and limitations specified, the following accessory buildings and uses shall be permitted in residential R-1 Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential, and NC Neighborhood Commercial zones:

(a) Detached garages and carports, storage buildings, workshops, hobby shops, recreation rooms and other similar uses;

(b) Accessory buildings shall not exceed 16 feet in wall height. "Building height," as used in this section, means the vertical distance from the grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitch or hip roof. The reference datum shall be the elevation of the highest adjoining ground surface within a five-foot horizontal distance of the exterior wall of the building.

(7) No accessory building shall exceed one story in height in R-1 Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential, and NC Neighborhood Commercial zones.

SECTION 5.0 AMENDMENT OF CHAPTER 17.15.050

(1) The requirements of this section shall apply to all new land uses in any commercial or industrial zone or land uses in any commercial zone which have an expansion or addition amounting to more than 40 25 percent of the total square foot area of the primary building within a five-year period or amount of improvement meets or exceeds cost of \$10,000.00. Furthermore, the requirements of this section shall apply to all new commercial land uses or expansions and additions (as described above) where such commercial land uses are located in residential zones. Furthermore, these requirements shall also apply to any changes of use (as applicable to the above circumstances) when the existing parking is not in conformance with these requirements.

SECTION 5.0 AMENDMENT OF CHAPTER 17.15.080

~~(7) Except for single family and duplex dwellings and unless otherwise provided, required parking and loading spaces shall not be located in a yard required by this title. (RESERVED)~~

SECTION 6.0 EFFECTIVE DATE

This ordinance shall take effect five days after its passage, approval, and publication.

Dated this _____ day of _____, 2019.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk
Publication Date:

Todd Richardson, City Attorney

ORDINANCE 1629

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING CLARKSTON MUNICIPAL CODE 17.20 TO AMEND THE ZONING EXCEPTIONS

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON ORDAINS AS FOLLOWS:

SECTION 1.0 AMENDMENT OF CHAPTER 17.20

Clarkston Municipal Code Chapter 17.20 is hereby amended as follows:

~~17.20.050 Fences.~~

~~(1) — Fencing in a residential, commercial or industrial zone shall not exceed six feet in height, except as permitted in subsection (4) of this section. Such fencing may be placed anywhere on the lot provided it shall be no closer to a public street right of way than the building setback requirements for the zone.~~

~~(2) — Non-sight-obscuring fencing, not exceeding four feet in height, may be placed anywhere on the lot.~~

~~(3) — Sight obscuring fencing, wall or hedges, not exceeding three feet in height, may be placed anywhere on the lot.~~

~~(4) — Fencing in a commercial or industrial zone, or in conjunction with a public facility, when required to provide security around unattended outdoor storage areas or to protect the public from contact with hazardous conditions, materials or equipment, may exceed six feet in height, but in no instance shall exceed 10 feet in height; and further provided, it shall be placed no closer to a public street right-of-way line than the building setback requirements set out in this title.~~

~~(5) — The use of electrically charged fencing is prohibited. The use of barbed wire fencing is prohibited, except to provide security around unattended outdoor storage areas or public facilities which could cause injury if accessible to public contact. When permitted, such fencing shall be located no closer than four feet to any street, sidewalk, alley or other public right-of-way.~~

~~(6) For purposes of this section, the grade from which the height of all fences placed adjacent to a street right-of-way shall be measured is the elevation of the centerline of the street or the top of the curb. For fences and walls placed elsewhere on the site, the grade from which the height shall be measured shall be either the existing groundline elevation of that fence or wall location or a new groundline. Any new groundline shall be no higher than the grade of the primary structure on the site. [Ord. 1201 § 1, 1995; Ord. 1138 § 1, 1992. Code 1966 § 17.05.050.]~~

SECTION 2.0 EFFECTIVE DATE

This ordinance shall take effect five days after its passage, approval, and publication.

Dated this _____ day of _____, 2019.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date:

ORDINANCE 1630

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, ADOPTING CLARKSTON MUNICIPAL CODE 17.21 TO AMEND ZONING

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON ORDAINS AS FOLLOWS:

SECTION 1.0 ADOPTION OF CHAPTER 17.21

Clarkston Municipal Code Chapter 17.20 is hereby adopted:

Chapter 17.21
FENCING

Sections:

17.21.010 General Requirements.

17.21.020 Fencing by Zones.

17.21.030 Non-Complaint Fencing.

17.21.040 Prohibited Fencing.

17.21.050 Fencing Height Measurement.

17.21.060 Penalties.

17.21.010 Fencing.

- (1) A building permit is required to construct, alter, and/or modify fencing in the City of Clarkston, as outlined in CMC 15.40.
- (2) Fencing shall be constructed on private property not on public right-of-way. It shall be the property owner's responsibility and obligation to identify the property lines when proposing to construct fencing. A property survey may be required by the City.
- (3) Fencing shall not conflict with the requirements for Clear-vision Area as outlined in CMC 17.15.020.
- (4) To obtain a fencing permit the applicant shall provide, a site map of the property, indicating the location of the fence, the height, the material (type) of fencing, a North arrow, and the City street. No permit will shall be issued without a site map.
- (5) Fencing shall be maintained in good working order; property owners are responsible for maintaining fencing.
- (6) No pallets, construction demo, and/or unapproved fencing shall be constructed and/or maintained in the City.

17.21.020 Fencing by Zones.

- (1) Fencing in R-1, R-2, R-3, MC, DC, and NC zones not exceeding 42 inches in height may be placed anywhere on the property. Fences between 42 and 72 inches in height may be placed in the rear and side yards of the property as outlined in CMC 17.10.
- (2) Fencing in SC, H-I, and P-C zones not exceeding 72 inches in height may be placed anywhere on the property. Fencing in conjunction with a public facility, when required to provide security around unattended outdoor storage areas or to protect the public from contact with hazardous conditions, materials or equipment, may exceed 72 inches in height, but in no instance shall exceed 120 inches in height; and further provided, it shall be placed no closer to a public street right-of-way line than the building setback as outlined in CMC 17.10.030.

17.21.030 Non-Compliant Fencing

- (1) Fencing not in compliance with this section shall, within twenty (20) days of notification from the City, be removed by the owner or, upon failure to remove the fencing, the Public Works Director is authorized to cause the removal of the fence, the cost of which shall be billed to the owner.

17.21.040 Prohibited Fencing

(1) The use of electrically charged fencing is prohibited.

(2) The use of barbed wire/concertina fencing is prohibited in R-1, R-2, R-3, NC, MC, DC, zones.

(3) Upon written approval from the Public Works Director barbed wire/concertina fencing may be constructed in SC, PC, HI zones, to provide security around unattended outdoor storage areas or public facilities which could cause injury if accessible to public contact. When permitted, such fencing shall be located no closer than four feet to any street, sidewalk, alley or other public right-of-way.

17.21.050 Fencing Height Measurement

(1) For purposes of this section, the grade from which the height of all fences placed adjacent to a street right-of-way shall be measured is the elevation of the centerline of the street or the top of the curb. For fences and walls placed elsewhere on the site, the grade from which the height shall be measured shall be either the existing groundline elevation of that fence or wall location or a new groundline. Any new groundline shall be no higher than the grade of the primary structure on the site.

(2) Fencing constructed on a berm, wall and/or uneven grade shall not exceed the allowable fence height. Fencing constructed on a slope must follow the slope or step with the slope so as not to exceed the allowable height at any point along the fencing.

17.21.060 Penalties.

(3) It shall be unlawful for any person firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, covert or demolish fencing in violation of this code. The penalties to each violation of any term and/or condition and/or requirement of this chapter shall be a civil infraction, as defined in CMC 1.01.110(1)(a), and for each violation shall be fined in addition to any other remedy and/or penalty specifically set forth in this chapter, an amount of \$150.00. for a second infraction of the same provision occurring within a 12-month period, the amount of the penalty that may be forfeited shall increase to \$200.00 for a third and subsequent infraction of the same provision within a 12-month period the amount of the penalty that may be forfeited shall increase to \$250.00. [Ord. 1201 § 1, 1995; Ord. 1138 § 1, 1992. Code 1966 § 17.05.050.]

SECTION 2.0 EFFECTIVE DATE

This ordinance shall take effect five days after its passage, approval, and publication.

Dated this _____ day of _____, 2019.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date: