



City of Othello  
Planning Commission  
April 15, 2019  
Jackee Carlson

**CALL TO ORDER**

Chair Roger Ensz called the meeting to order at 6:01 pm.

**ROLL CALL**

**Commissioners Present:** Chair Roger Ensz, Tari Perez, Brian Gentry

Late: Chris Dorow

**Absent:** Kevin Gilbert

**Staff:** Community Development Director Anne Henning and Building & Planning Secretary Jackee Carlson

**Attendees:** Bob Carlson

Quorum Established.

**APPROVAL OF MARCH 18, 2019 PLANNING COMMISSION MEETING MINUTES**

**Commission Action:** The Commissioners voted to accept the minutes from March 18, 2019 M/S Tari Perez/Brian Gentry.

**ACCESSORY DWELLING UNIT - PUBLIC HEARING FOLLOWUP**

A public hearing was held April 8, 2019 with the City Council to discuss ADUs. Chair Roger Ensz and Commissioner Chris Dorow attended the hearing, and both spoke. Chair Roger Ensz mentioned to the Council that the Planning Commission was in the process of updating the zoning map. The Council heard from various citizens who attended and decided to look at the proposed zoning changes before a decision is made. Councilman Corey Everett is still very much opposed to the idea of ADUs at all. Mr. Bob Carlson believes that there is no willingness from the Council to enforce what is currently in place.

Ms. Henning felt like the Council would like to see existing ADUs addressed before they adopt anything new, so she would like to have Code Enforcement Officer Heather Miller present to talk about the enforcement process to bring current ADUs up to code and why it takes so long. She mentioned that presently they follow Chapter 17.79 in the OMC, which was put together after a committee looked at various factors regarding ADUs for a little over 2 years. OMC 17.79 states that existing ones need to comply with applicable building codes. Ms. Henning believes that there needs to be a discussion with Council, regarding the existing adoption and how they want it to be enforced and how that relates to the new being reviewed. Ms. Henning also noted that Officer Miller enforces the whole code book and she would like the Council to be aware that there are many tasks she is responsible for.

The next hearing on ADUS will be May 6, 2019. Commissioners Brian Gentry and Chris Dorow will attend.

**MUNICIPAL CODE UPDATE – INDUSTRIAL ZONES- REQUEST FOR DIRECTION**

The Commission continued the review of the Industrial Zone draft. In trying to figure out how to distinguish Industrial 1 and 2 for certain uses that should only be allowed in I-2 if they are very large, Commissioner Chris Dorow stated he thought they could do something similar to the banking code and use the gross annual income of \$5 million to determine the zone a business would fall into. Ms. Henning stated that she could not find anything in other zoning codes related to the size and scale, everything was use-specific. After a brief discussion, Ms. Henning thought the gross annual income threshold could go in as a footnote, that would make it allowed if it meets the condition.

**17.40.030 Uses** – After the discussion at the previous meeting, Ms. Henning condensed down the manufacturing categories some.

The following changes were made (shown in bold and underlined):

<b>TABLE 1: LAND USES IN INDUSTRIAL ZONES</b>		
<b>USE CATEGORIES</b>	<b>I-1</b>	<b>I-2</b>
<b>Primary Uses</b>		
Agriculture-related uses, such as feed & seed stores, farm equipment repair and sales, irrigation supply, and agricultural services such as soil preparation services, lawn care services, potato curing, seed cleaning, cold storage, and sorting, grading, packing, and packaging of fruits and vegetables	A	A
Assembly of parts	A	A
Fabrication and welding	A	SIZE
Junk yards, salvage yards, or wrecking yards	A	C
Machine shop	A	SIZE
Manufacturing, processing, or packaging of products, including food products but excluding meat, seafood, distilling, fermenting, canning, slaughtering, rendering, curing, and tanning.	A	A
Manufacturing, processing, or packaging of food products, including meat, seafood, distilling, fermenting, and canning, slaughtering, rendering, curing, and tanning	C	A
Outside storage as a primary use <sup>3</sup>	A	X
Printing, publishing, and allied products manufacturing including processes such as lithography, etching, engraving, binding, and blueprinting	A	SIZE
Recycling collection site and recycling facilities	A	SIZE
Solid waste processing facilities	X	X
Storage, warehousing, and distribution facilities	A	SIZE
Technological uses such as scientific research, testing, and experimental development laboratories	A	C
Transportation services such as bus barns and maintenance facilities, freight consolidation, shipping documents preparation, rental of railroad cars, packing and crating	A	A
<b>Accessory Uses</b>		
Accessory use appurtenant to any primary use and not otherwise prohibited	A	A
Child care, primarily for children of on-site employees or customers	A	A
Dwelling unit for on-site security or maintenance personnel and family <sup>4</sup>	A	C
Offices related to permitted uses conducted on the same site	A	A
Sales (retail or wholesale) of goods or products manufactured on site, or utilized in manufacturing, repairing, or servicing activities which are permitted in the zone	A	A
Storage in cargo containers, on the site of the business using the storage	A	A
Support business for a primary allowed use	A	A

TABLE 1: LAND USES IN INDUSTRIAL ZONES		
USE CATEGORIES	I-1	I-2
<b>Other Allowed Uses</b>		
Agriculture	<u>A</u>	<u>A</u>
Animal shelter, kennel, or veterinary clinic with outdoor boarding of animals or care of livestock	A	X
Building materials or lumber yard, retail or wholesale	A	X
Contractor establishments, including offices, shops, and storage yards	A	SIZE
Industrial laundry or dry-cleaning plant	A	X
Mini-storage	A	X
Nurseries and greenhouses for the growing and sale of plants	A	X
Power generating facilities, including solar farms	X	A
Public facilities compatible with the intent of the zone, such as maintenance shops, substations, well houses, lift stations, local and regional utilities	A	A
Public park	X	X
<del>Recreation requiring large land areas and/or generating noise, such as go carts, target shooting, race tracks, etc.</del>	<del>A</del>	<del>X</del>
Repair and service of consumer vehicles and equipment	A	X
Repair and service of agricultural/commercial/industrial vehicles and equipment	A	SIZE
<del>Rock crushing</del>	<del>?</del>	<del>?</del>
Towing services and vehicle impound yards	A	X
Wireless communication facilities, in compliance with OMC 16.68	A	A

**17.40.040 Prohibited** – (d) added Rock crushing

**17.40.050 Development Standards: Table 2**

TABLE 2: DEVELOPMENT STANDARDS IN INDUSTRIAL ZONES		
Development Standards	I-1	I-2
Front and flanking street setback <sup>1</sup>	NR	NR
Side setback <sup>1</sup> if adjacent property is not zoned Residential	NR	NR
Side setback <sup>1</sup> if adjacent property is zoned Residential	5'	20'
Rear setback <sup>1</sup> if adjacent property is not zoned Residential	NR	NR
Rear setback <sup>1</sup> if adjacent property is zoned Residential	10'	20'
Maximum building height	NR	NR
Minimum or maximum lot size	NR	<u>NR</u>
Landscaping requirements	OMC 17.74	
Signage	OMC 14.58	
Parking Requirements	OMC 17.61	

**17.40.060 Performance Standards – Table 3 (shown in bold and underlined):**

<b>TABLE 3: PERFORMANCE STANDARDS IN INDUSTRIAL ZONES</b>																		
<b>Performance Standards</b>	<b>I-1</b>	<b>I-2</b>																
Air Quality	Emissions from combustion and incineration, emissions from sources emitting hazardous air pollutants, and emissions of suspended particles or fugitive dust shall not exceed the standards set forth in Washington Administrative Code 173-400, General Regulations for Air Pollution. Where such emissions could be produced as a result of accident or equipment malfunction, safeguards standard for safe operation in the industry shall be taken. Polluted air streams shall be treated with the best available control technology.																	
Electromagnetic Interference	Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunication Act of 1996 or its successor.																	
Fire and Explosive Hazard	The manufacture, use, processing, or storage of flammable liquids, gases, or solids shall be in compliance with the State Fire Code, the State Building Code, National Fire Protection Association standards, and any other state or nationally recognized standards that may apply to the particular use, building, or process.																	
Glare	Any activity producing excessive or uncontrolled bright light shall be carried on in such a manner that the glare is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in objectionable glare.																	
Hazardous Materials	The manufacture, use, processing, or storage of hazardous materials shall be permitted in accordance with the regulations of the State Building Code, State Fire Code, the National Fire Protection Association Standards, and any other state or nationally recognized standards that may apply to the particular use, building, or process.																	
Heat and Humidity (Steam)	Any activity producing humidity in the form of steam or moist air, or producing heat, shall be carried on in such a manner that the heat or humidity is not perceptible at or beyond the property line.																	
Industrial Wastes	The storage, processing, or disposal of dangerous waste shall be subject to the regulations of the Washington State Department of Ecology.																	
Noise	<p><del>Noise shall be muffled so as to not become objectionable due to intermittent beat, frequency, or shrillness, and shall not exceed the standards in WAC 173-60, as amended.</del></p> <p>OR</p> <p>Noise within the industrial zones shall not exceed the maximum permissible noise levels set forth in this chapter and WAC 173-60, Maximum Environmental Noise Levels, as measured at the property line of the noise source.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="4"><b>Maximum Permissible Environmental Noise Levels from Industrial Uses</b></th> </tr> <tr> <th rowspan="2">Noise Source</th> <th colspan="3">Property Receiving Noise by Zone</th> </tr> <tr> <th>Residential</th> <th>Commercial</th> <th>Industrial</th> </tr> </thead> <tbody> <tr> <td>Industrial Zone</td> <td>60 dBA*</td> <td>65 dBA</td> <td>70 dBA</td> </tr> </tbody> </table> <p>* Between the hours of ten p.m. and seven a.m., the noise limitations of the foregoing table shall be reduced by ten dBA for residential receiving property.</p>			<b>Maximum Permissible Environmental Noise Levels from Industrial Uses</b>				Noise Source	Property Receiving Noise by Zone			Residential	Commercial	Industrial	Industrial Zone	60 dBA*	65 dBA	70 dBA
<b>Maximum Permissible Environmental Noise Levels from Industrial Uses</b>																		
Noise Source	Property Receiving Noise by Zone																	
	Residential	Commercial	Industrial															
Industrial Zone	60 dBA*	65 dBA	70 dBA															

TABLE 3: PERFORMANCE STANDARDS IN INDUSTRIAL ZONES		
Performance Standards	I-1	I-2
	<p>At any time of the day or night the applicable noise limitations may be exceeded for any receiving property by no more than:</p> <ol style="list-style-type: none"> <li>(1) Five dBA for a total of fifteen minutes in any one-hour period.</li> <li>(2) Ten dBA for a total of five minutes in any one-hour period.</li> <li>(3) Fifteen dBA for a total of one and one-half minutes in any one-hour period.</li> </ol> <p>Exemptions to the maximum permissible noise level cited in this chapter shall be as enumerated in WAC 173-60-050, Maximum Environmental Noise Levels Exemptions.</p>	
Odors	<p>Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the property line.</p> <p>OR</p> <p>The emission of odorous gases or matter in such quantities as to be readily detectable, without special instruments, at any point beyond the property line of the use creating the odors is prohibited.</p>	<p>Any use producing odors shall be carried on in such a manner that offensive or obnoxious odors shall not be perceptible at or beyond the I-2 Zone boundary.</p>
Vibration	<p>Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point beyond the property line.</p>	

**Odors** - The Commissioners discussed the Odors category. They brought up the idea of having Best Practice/Industry Standard to follow. Commissioner Brian Gentry gave the idea of holding a Public Hearing if a potential business would like to establish in one of these zones and they be addressed on a case by case and the public would be able to give their input on whether or not the City would benefit from the business being in that zone. Ms. Henning felt like she had some direction and would follow up after looking at Clarkson, Lewiston, Warden and Sunnyside.

**Vibration** - Changed to Zone Boundary

**17.40.070 Storage Areas** – All storage shall be on hard surface or gravel and kept free of weeds. ~~Storage located on a lot abutting a residential or commercial zone shall be wholly within a building or enclosed by a sight-obscuring screen not less than 8’ in height.~~ All storage shall be kept in a manner so that it will not create a fire hazard or nuisance. In the case of open storage of combustible material, a roadway shall be provided and maintained to permit Fire Department access at all times.

**ZONING MAP - REQUST FOR DIRECTION**

The Commission reviewed the previous changes on the Zoning Map in preparation of presenting it to the City Council after going through the necessary process. They looked at the area shown in the map and change it from Residential District Three (R-3) to Residential District Four (R-4).

A Public Hearing it tentatively set for June 17, 2019.

**OTHER BUSINESS:**

**Design Standards for Residential Zones** - Ms. Henning asked the Commission whether residential zones should have design standards to have more variety with new construction. The Commission agreed that it was not necessary to have design standards.

**Short Course on Local Planning** – Ms. Henning reminded the Commission that the training is scheduled for April 23.

**ADJOURNMENT**

Having no other business, the meeting was adjourned at 7:38 pm. Next scheduled meeting is Monday, May 20, 2019.

\_\_\_\_\_ Date: \_\_\_\_\_  
Kevin Gilbert, Vice Chair

\_\_\_\_\_ Date: \_\_\_\_\_  
Jackee Carlson, Planning Secretary