
CALL TO ORDER Planning Chairman, Larry McCourtie, called the meeting to order at 6:05 p.m. May 20, 2013.

ROLL CALL

Commissioners: Chairman Larry McCourtie, Terry Thompson, Rex Robbins and Clair Lackie

Staff: City Planner, Darryl Piercy and Planning Secretary, Trisha Tolley

Quorum Established.

APPROVAL OF NOVEMBER 19, 2012 MEETING

Minutes of November 19, 2012 are approved without discussion. M/S Rex Robins/Clair Lackie

GILBERTO ELIZARRARAZ – 905 E HEMLOCK ST., OPENING A BEAUTY SALON

City Planner Darryl Piercy gave the history of the lot on 905 E. Hemlock. The applicant is asking that this parcel be rezoned from residential to commercial, stating that the lot was zoned C-1 and then changed to R-4. Its historical use as a beauty salon and its proximity adjacent to existing commercial activity and zoning, and the fact that other areas of Hemlock are zoned commercial out to Hemlock Street. The staff is supporting the request for a rezone because it is obvious that there has been historical commercial use for this building and it is in an appropriate location for the level of commercial activity that's being proposed and could be supported by this structure. Mr. Piercy made a recommendation that if a rezone is considered, to limit the intensity of use so that it isn't impactful on the surrounding neighborhood, such as appointment only kind of operation to limit the traffic. The applicant agreed to only rezone the back half of the property that has the structure, this would be called a dual zone on that property. Othello codes prohibit beauty and barber shops as a home occupation so this is why a rezone is needed. A motion was made to recommend to the council that the salon building be changed from R-4 to a C-1 and the residential remain R-4. M/S Terry Thompson/Clair Lackie.

REVIEW OF THE ZONING CODE (TITLE 17 OF THE OTHELLO MUNICIPAL CODE)

City Planner, Darryl Piercy indicated that the intent this year is to update the zoning code for the City of Othello. This is to keep in compliance with the comprehensive plan that was reviewed by the Planning Commission, and is being considered by the City Council. Some feedback from the Planning Commission on specific areas of the code that they would like City Council to take a look at, and if there were problems, conflicts or other issues that needed addressed. The language could be revised and hopefully the Planning Commission would take a look at the changes and recommend approval to the City Council to adopt it into the Zoning Code. The staff is going through the entire document looking for conflicts or inconsistencies and other issues. They are not looking at it from a critical stand point of "is this the right policy for the city".

Planning Commission member Larry McCourtie brought up concerns of the tall buildings in our community. The code states that the accessory buildings, such as a garage, cannot be any taller than the primary residence. The building in question on Hemlock Street is in compliance. Another issue is about the parking area for each home. Mr. Piercy indicated that action was taken by the council on this, it was phased in over a one year period before they could enforce it which was last winter and the start of the enforcement has begun. The new Code Enforcement Officer has started with the most blatant offenders on this and is trying to bring them into compliance.

The typical lot size is 7000 sq. ft. or more, other than the older lots that were grandfathered in. Planning Commission member Terry Thompson brought up the question on how many families could live in one home. Mr. Piercy stated that at one time there was a limitation in code, but through the courts they have allowed the modification of the definition of family to where any group of people living together constitutes a family, with no number limitation. What we have in our code now is consistent with court decisions of case law and created by our city attorney to be in compliance with the case law. Planning Commission member Rex Robbins felt there should be some logical limits somewhere. This was something that could be brought up to council again.

City Planner Darryl Piercy gave an update on the Medical Marijuana Collective Gardens. The city is operating under a moratorium from the Medical Marijuana Collective Gardens, that's one portion of the law dealing with marijuana. The moratorium prohibits the application for a license to conduct a collective garden. The state is currently working on developing rules associated with legalized marijuana. At this point they have not proposed changes on the medical marijuana, which have been two separate issues in the past. There is an effort to try and merge the two laws so that the

recreational and medical marijuana is taxed the same. There are still a number of unanswered questions in regards to zoning of the location of these facilities and what requirements you can put on it. Another question brought up from Larry McCourtie was on the Palo Verdes Estates. Since Mr. Garza did not have his permit to develop the area, how much dirt could he move? Under state law for SEPA you can move up to twenty thousand cubic yards of material. In the Othello Code each jurisdiction can reduce that. Mr. Garza has been notified that if he moves dirt, he is doing it at his own risk.

ADJOURNMENT

Having no other business at hand Chairman Larry McCourtie asks for a motion to adjourn the meeting, the next meeting is scheduled for June 17, 2013. Meeting adjourned at 7:05 pm. M/S Terry Thompson/Rex Robbins.

By: _____ Date: _____
Trisha Tolley, Planning Secretary

NOTE: These are abbreviated minutes that contain all motions and business conducted. These meetings are taped; a complete record of the minutes may be obtained by contacting the Planning Commission Office or a verbatim copy of these minutes can be ordered at the requestor's expense.