



Kelso Planning Commission
Agenda
Regular Meeting at 6:00p.m.
Tuesday, April 14, 2015
City Hall Council Chambers, 203 S. Pacific Ave.

Agenda	Approved/ Denied	Remarks
Call to Order:		
1. Roll Call.		
Approve Minutes:		
1. March 10, 2015 meeting minutes.		
Presentation:		
Public Hearing:		
1. Proposed text amendments to the Kelso Municipal Code as follows: <ul style="list-style-type: none"> a. Chapter 17.15.020 related to microbreweries and micro-wineries to expand the zones where such uses are allowed. b. Chapter 17.45.020 to remove restrictions to allow marijuana production and processing facilities to locate within 250 feet of residential uses. 		
Citizen Business:		
Commission Business:		
Action/Motion Items:		
1. Recommendation to council of proposed text amendments to the Kelso Municipal Code Chapters 17.15.020 and 17.45.020.		
Adjournment:		
Next regularly scheduled meeting May 12, 2015.		

City of Kelso Community Development Department (360) 423-9922.
The agenda can be found on the Kelso website at <http://www.kelso.gov/planning-commission/agendas>.



Kelso Planning Commission Meeting Minutes
Tuesday, March 10, 2015
6:00 pm – 6:22 pm

Commissioners Present: Rick VonRock, Clark Hislop, Charles Hendrickson, Daniel Graves.

Staff Present: Michael Kardas, Community Development Director; Amy Mullerleile, Recording Secretary.

Commissioners Absent: James Webb.

Call to Order:

Chair Rick VonRock called the meeting to order at 6:00pm.

Minutes:

Commissioner Hislop made the motion, seconded by Commissioner Hendrickson to approve the minutes of December 9, 2014. Motion carried, all in favor.

Commission Business:

- 1. Introduction of Daniel Graves to Planning Commission Position No. 3**
- 2. Land Use Discussion on Micro-Wineries**

Mr. Kardas informed the Commission of a request that was received by staff to review of the City's land use code as it relates to micro wineries, a use which is not currently addressed in the code. Staff feels that this type of use is similar to microbreweries, which are allowed within certain commercial areas and not in others. Staff would like to propose that microwineries and microbreweries be allowed as an administrative use in all commercial and industrial zones. Mr. Kardas explained that if the Commission is in favor of the proposed changes a public hearing will be scheduled for the April meeting after which the Commission will be asked to provide a recommendation for Council consideration.

MOTION: Commissioner Hislop made the motion, seconded by Commissioner Graves to accept staff's recommended changes. Motion carried, all in favor.

In addition, staff received a request for the City to review the code provisions regulating the location of marijuana production and processing facilities. The City has adopted a 250-foot buffer between residential areas and all marijuana related land uses to be consistent with other local jurisdictions. The proposed changes would eliminate the buffer for production and processing facilities but the buffer would remain for retail businesses. The commission agreed to review the proposed update and hold a public hearing on the issue at the April meeting. Commissioner VonRock asked that the April packet to include the current as well as the proposed regulations; Mr. Kardas assured him that information would be included and staff would try to get the packets out sooner than normal to allow for extended review.

Action/Motion Items:

- 1. Appoint Commission Chair**

MOTION: Commissioner Hislop made the motion, seconded by Commissioner Hendrickson to nominate Rick VonRock as the chair of the Planning Commission. Commissioner VonRock accepted the nomination. Motion carried, all in favor.

2. Appoint Commission Vice-Chair

MOTION: Commissioner Hendrickson made the motion, seconded by Commissioner Graves to nominate Clark Hislop as the Vice-Chair of the Planning Commission. Commissioner Hislop respectfully declined the nomination.

MOTION: Commissioner Hislop made the motion, seconded by Commissioner Graves to nominate Charles Hendrickson as the Vice-Chair of the Planning Commission. Commissioner Hendrickson accepted the nomination. Motion carried, all in favor.

3. Rules of the Commission

There was discussion regarding proposed changes to the rules of the Planning Commission. These changes included stricter attendance requirements as well as language conforming to modifications of chapter 2.60 Planning Commission of the KMC that were adopted by Council. It was agreed that Sections 1.1-1.6 would be changed to reflect the code changes adopted by Council and that the rest of the rules would remain as they are.

MOTION: Commissioner Hendrickson made the motion, seconded by Commissioner Graves to adopt the updated rules of the Planning Commission as discussed. Motion carried, all in favor.

Other Business:

1. Commissioner VonRock reported that he was able to participate in the city beautification event that took place over the weekend and said it was a success.
2. The next Planning Commission meeting will be on April 7, 2015.

Adjournment:

There being no further business, Commissioner Hislop made the motion, seconded by Commissioner Hendrickson to adjourn at 6:22 pm.

Rick VonRock, Planning Commission Chair

Respectfully submitted: Amy Mullerleile, Recording Secretary

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that an open record public hearing is scheduled before the Kelso Planning Commission, Tuesday, April 14, 2015 at 6:00pm in the City Hall Council Chambers, 201 S. Pacific Avenue, Kelso, WA 98626.

The Kelso Community Development Department has submitted an application, on behalf of the City of Kelso, to make certain amendments to Title 17 of the Kelso Municipal Code related to microbreweries and micro-wineries to expand the zones where such uses are allowed, and amendments on the residential buffer for marijuana production and processing.

The hearing will allow the city to receive comments on the proposed text amendments. If you have any questions, please contact Michael Kardas, Kelso Community Development Director at 360-423-9922. Be sure to reference file no. ZON15-001/SEP15-001.

The Council Chambers room is handicap accessible. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 24-hour advance notice. Contact the City Clerks Office at (360) 423-0900.

AGENDA SUMMARY SHEET
Business of the Planning Commission
City of Kelso, Washington

SUBJECT TITLE:

Recommendation to council of proposed text amendments to the Kelso Municipal Code (KMC), Chapters 17.15.020 and 17.45.020.

Agenda Item: _____

Dept. of Origin: Community Development

For Agenda of: April 14, 2015

PRESENTED BY:

Michael Kardas, P.E.
Community Development Director/City Engineer

City Manager: Steve Taylor

AGENDA ITEM ATTACHMENTS:

Exhibit A – KMC Table 17.15 (microbreweries and micro-wineries)

Exhibit B – KMC Chapter 17.45.020 (marijuana land use)

SUMMARY STATEMENT:

Exhibit A:

The City's current land use table allows a microbrewery use within certain commercial areas within the City and not within others and further restricts that use from the ground floor in certain areas in the Commercial Town Center zone; the table is silent as to micro-winery use.

City staff finds that the land use impacts of micro wineries are similar to the impacts of microbreweries and these uses are combined elsewhere in the code, so that both uses should be allowed in compatible areas.

Microbreweries and micro-wineries are defined terms within the code and describe a much smaller manufacturing use that of larger facilities; these uses are commonly associated with the retail sales of wine and beer and accessory items and often have restaurant and tasting areas so that there is a commercial element to the facilities that make them compatible with a commercial and retail environment.

The City would like to expand the commercial areas that allow these types of uses to promote a mix of commercial and retail uses within the City's commercial areas in order to promote economic development and the retail shopping experience in the City's commercial areas.

Exhibit B:

In 2014, the City Council adopted Ordinance No. 3821 permitting and regulating marijuana related land uses within certain land use zones of the City and prohibiting such uses within 250 feet of any residential zone or mobile home or RV park.

City staff has been evaluating the impacts of production, processing, and retail sales of marijuana throughout the state as this emerging land use has been developing. The City has determined that the impacts of state licensed indoor facilities for the production and processing of marijuana are minimized by the state regulatory requirements and that there appear to be no outward impacts to the surrounding properties. The location of the

City's industrial zones and properties within that zone appropriate for such marijuana production and processing uses are in proximity to the surrounding residential uses.

The City wishes to allow marijuana production and processing facilities within a greater area of its industrial zones by removing the prohibition of such uses within 250 feet of residential uses.

Table 17.15

Table 17.15 Allowable Land Uses	Residential Single-Family	Residential Multifamily	Open Space	Commercial—Town Center	Commercial—West Kelso	Commercial Neighborhood Service Center	Commercial Specialty Retail and Services	Commercial—Major Retail	Industrial Light Manufacturing	Industrial General Manufacturing
	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
...										
MANUFACTURING										
Agriculture* including agricultural processing									II	I
Fabrication, manufacture, assembly, processing, packaging, repair, servicing of goods									I _g	I _g
Any principally permitted use whose operations are predominantly out-of-doors rather than completely enclosed within a building									II	I
Aquaculture			II							
Commercial indoor storage									I	I
Commercial moving and freight terminals									II	I
Computer and electronic equipment and products									I	I

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Food products									I	I
Furniture and fixtures									I	I
Junk or salvage yards										I
Laboratories for scientific research, testing and experimental development that can be performed with minimal adverse impact on, and pose no special hazard to, the environment and the community									I	I
Marijuana producer, processor									I ₂₀	I ₂₀
Mechanical, automotive, trucking, agricultural/forestry and contractors' or builders' equipment and supplies									I	I
Marine-oriented commercial and industrial activities									II ₁₀	II ₁₀
Microbrewery <u>or</u> Microwinery*				II _{6,7}	II	II	II	II	II	II

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Printing and publishing									I	I
Recycling centers						II	II		I	I
Sales of items manufactured on site									II	II
Skating rink—indoor								II	III	III
Vehicle towing and storage services									II	II
Vocational schools									I	I
Winery/brewery									I	I
Wood products									I	I
RETAIL TRADE AND SERVICE										
Automobile sales—new or used					I		I	I	II	
Bed and breakfast*	II	II		II ₁	I	I	I	I		
Brewpub				I	I	I	I	I		

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Cart vendors				I	II	II	II	I	I	II
Cemeteries, mausoleums and columbaria	III	III								
Convenience stores including gasoline sales and/or a car wash facility					II	II	I			
Crematorium	III	III								
Entertainment (e.g., theaters, video game arcades, etc., except adult motion picture theaters and other uses as described in Section 17.30.040, Adult oriented business (AOB) overlay zone)				I ₇	I	II	I	I		
Farmer's market				I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇		
Fitness center/sports club				II	II	II	I	I	II	
Formula take-out food restaurant with drive-through					I		I	I		

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Formula take-out food restaurant without drive-through				I ₇	I		I	I		
Hotels, motels, inns*				I ₇	I		I	I		
Home occupation, major* (G, H)	II	II								
Home occupation, minor* (F, H)	I	I								
Kennels* (V)					II		II	II	II	
Minor vessel repair shop						I	I		I	I
Mixed commercial/residential		III		I _{4,7}	I ₄	I ₄	I ₄	I ₄		
Mortuaries, funeral homes and funeral chapels	III	III		II _{5,7}	II		II			
Personal services*				I _{5,7}	I	I	I	I		
Pet shop*				I	I	I	I	I		
Professional offices		III		I ₇	I	I	I	I	II ₈	I ₈

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Restaurants				I ₇	I		I	I	II ₁₁	II ₁₁
Retail sales marijuana									I ₂₀	I ₂₀
Retail sales and services with drive-through businesses* (I)					I		I	I	II	
Retail sales and services without drive-through businesses				I _{7, 12}	I	I ₇	I	I		
Retail sales and services with screened outdoor storage				II _{5, 7}	II		II	II	I	I
Roadside stands				I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇		
RV sales, storage and repair									I	I
Secondhand/consignment stores				I _{7, 12}	I	I ₇	I	I		
Sexually oriented business* (E)										
Small engine repair						I	I		I	

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
Taverns				I ₇	I		I	I		
Uses which service the automobile (e.g., gasoline service station, car wash, minor/major vehicle repair shops)					II	I ₁₃	I	I	I	
Veterinarian clinics* (V)						I ₇	II	II		
Caretaker residence (K)									I	I
Temporary uses (S)	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇	I ₁₇
Wholesale sales with limited retail sales							II	II	II	
TRANSPORTATION										
Park and ride lots*					II	II	I	II		
Park and ride lots, shared use*	II	II							II	I
Parking as principal use				II	I		I	I	II	I
Transit facilities				I ₁₄						

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	RSF	RMF	OPN	CTC	CWK	CNH	CSR	CMR	ILM	IGM
UTILITIES										
Public and private utility buildings and structures (L)	II	II	II	II	II	II	II	II	II	II
Communication antennas, category 1 (N)	I	I	I	I	I	I	I	I	I	I
Communication antennas, category 2 (O)	II		II	I	I	I	I	I	I	I
Communication antennas, category 3 (P)			II		II		II	II	I	I
Communication towers and monopoles (Q)			II ₁₉		II ₁₉		II ₁₉	II ₁₉	II ₁₉	II ₁₉
WHOLESALE TRADE—STORAGE										
Self-service storage facilities; provided, that no outside storage is visible from adjoining properties and public rights-of-way						III			I	
Warehousing (wholesale, bulk retail and trade)								III		

I = Type I Permitted Use

II = Type II Administrative Use

III = Type III Conditional Use

* = Defined Term

Letters and numbers refer to footnotes and regulatory notes within Sections [17.15.030](#) and [17.15.040](#).

(Ord. 3828 § 4 (Exh. B), 2014; Ord. 3821 § 4 (Exh. B), 2014; Ord. 3799 § 1 (Att. B), 2013; Ord. 3771 § 1 (Exh. A), 2012; Ord. 3745 § 1 (Att. B), 2011; Ord. 3699 § 1 (Att. B), 2009)

17.15.030 Footnotes.

A. The following numbers correspond to the numbers identified at the intersection of land use and use district lines in Table 17.15:

5. Not permitted on the ground floor on Pacific Avenue South between Oak and Maple Streets.

7. Building footprints not exceeding five thousand square feet are permitted; provided, that facilities shall screen all outdoor storage except for outdoor storage for agricultural produce sales, or landscaping retail sales. Buildings of a footprint greater than five thousand square feet, but less than ten thousand square feet, may be allowed through administrative review.

17.45.020 Location criteria for recreational marijuana land uses.

A. No recreational marijuana producer, processor or retail outlet may be located within one thousand feet of any of the following:

1. Elementary or secondary school;
2. Playground;
3. Recreation center or facility;
4. Child care center;
5. Public park;
6. Public transit center;
7. Library; or
8. Any game arcade (where admission is not restricted to persons age twenty-one or older).

The distances described above shall be computed by direct measurement as follows: the distance shall be measured as the shortest straight line distance from the property line of the licensed premises to the property line of the above listed facility or facilities.

B. No recreational marijuana ~~producer, processor or~~ retail outlet may locate within two hundred fifty feet of any of the following:

1. Any residential zone.
2. Any mobile home or RV park.

C. The distances described in subsections A and B of this section shall be computed by direct measurement as follows: the distance shall be measured as the shortest straight line distance from the property line of the licensed premises to the property line of the above listed facility or facilities.

D. No recreational marijuana producer, processor or retail outlet may locate within any residential unit in the city and such uses are expressly prohibited in all zones except those specifically designated in Section 17.45.040. (Ord. 3821 § 6 (Exh. D), 2014)