

City of Buckley

Planning Commission Minutes

May 1, 2017

Chairperson McPhail called meeting to order at 7:00 PM. The following members were present: Helmer, Garland, Frame and Harris. Hall was absent and excused.

Harris moved to approve the minutes of the March 20, 2017 Commission meetings. Garland seconded the motion and the motion carried.

Thompson stated she would like to draw the commission's attention to two articles that she has provided in the packets. One is from City Vision magazine and it concerns looking at the future which is what you do as a commission and you are providing for the future in what you do in the present. The other is an article on vesting. A lot of cities don't have vesting but we do for site plans. Vesting is something that grandfather's a development in the uses. It is an important issue to be aware about.

GC/LI zoning code amendments

Thompson stated this has been reviewed by the City Attorney so she has added another whereas clause regarding the 150' frontage along highway 410 and in the Contractor Yard definition the city attorney has recommended taking out administrative offices within the definition. Discussion ensued. After discussion it was decided to make outdoor storage yards a conditional use in the GC zone rather than an Accessory use. Helmer had a question about RV Park Commercial and he is assuming that means where people can come and park their RV's for a length of time and that is permitted in the LI, is that always been that way? Thompson stated it has. Thompson stated it is also conditional in the Public and High Density Residential zone. Thompson stated she will get this on the website and it will be ready for the public hearing on the May 22, 2017.

Low Impact Development zoning code amendments

Thompson stated this is an ordinance that comes from the Administration as an emergency. This was misplaced last year when we were doing the anomaly ordinance to make the NPDES permit valid and she did put the setbacks and the lot coverage for the commercial zones so we need to quickly go through this ordinance. There are very few things we can actually do to it because it is Engineer driven. Thompson briefly went over the changes with the Commission. Discussion ensued. There was also a brief discussion about street trees.

Thompson stated she will be adding this to the anomaly ordinance for next year. Thompson stated she will have this ready for a public hearing on May 22, 2017 as well.

Marijuana – emergency ordinance, setback reduction

Thompson stated in the folder is the proposed ordinance as well as a worksheet. What is on the worksheet is headings that are highlighted in pink. The first one is the code that specifies setbacks from certain items, number 10 on page 2 includes elementary or secondary schools, playgrounds, recreation centers or facilities, child care centers, libraries, public parks, public transit centers or any game arcade where admission is not restricted persons 21 years old and older. Section 11 is fairly new to the code and allows the City to reduce the setbacks to 100 feet. This doesn't change the 1,000 foot setbacks from schools and playgrounds but what the interpretation from the cannabis board is any business renewal is considered a new permit and therefore would need to meet the 1,000 foot setback so if a daycare would come in it could cause the cannabis facility to lose their license so we are trying to honor the businesses that have come in to not lose their licenses. The definitions are given in the State and the city doesn't have the same definitions. Thompson went through some of the definitions that we have and what the state has. Thompson stated we have some decisions to make before this goes to hearing as to what types of definitions we want to insert. In the document she has the current code in one column and the emergency ordinance in another column and a space to write notes or questions. There may be a desire to run through this as quickly as possible but these are questions that need to be answered. In the meantime the emergency ordinance will be in effect and anything that comes in will be grandfathered under it. Garland stated it looks pretty straight forward and he sees no problem with referring to the WAC for the definitions, however, he doesn't like that the daycare, childcare and preschool's don't enjoy the same protection and any other school. Harris stated the problem is Mr. Bill's needs to renew his license and a childcare facility has come in within 1,000 feet and what we are trying to do is protect an existing business and she feels Mr. Bill's is probably more permanent and better for taxation than a child care facility. Discussion ensued. Helmer stated he is not in favor of protecting a business at the expense of the hazard of our youth or other public such as the public parks, libraries, etc. We need to look at the public impact versus the City revenue; he feels this is in violation of the Comprehensive Plan. Harris stated she thinks Mr. Bill's has respected the 1,000 foot radius and did that and what he has tried to do for the community. Garland stated that shouldn't enter into at all, what he has done for the community but at the same time he doesn't believe you can allow an opponent to use that as a weapon to move the marijuana businesses out. Discussion ensued. Helmer stated it appears that this is more of a State problem than a City problem. He feels they have thrown this into our laps to deal with it. Garland stated a good friend of his who is the Executive Director of the Liquor Control and Marijuana board and asked if he could speak to him and get clarification. Helmer asked Thompson if she could provide us with the 100 foot

separation like we did when we were looking at the 1,000 foot buffer. Thompson asked the commission to take the worksheet home with them and on page 3 mark #8 and 24 and on page 4, #29. Those are the ones that are 1,000 feet and cannot be changed. The others are open for discussion. When you are looking at this, look at our definition and the states definition and how you want to alert the reader that the state has requirements in regard to that use related to marijuana, how we can best communicate that to the reader.

The next meeting will be May 22, 2017 at 7:00 PM.

With nothing further the meeting was adjourned at 8:25 PM.



Mark McPhail, Chairperson