

**COLUMBIA CITY PLANNING COMMISSION
REGULAR SESSION & PUBLIC HEARING**
CITY HALL – 1840 SECOND STREET
NOVEMBER 12, 2014 - 7:00 P.M.

PLANNING

COMMISSIONERS:

Laurie Falk, Chair*
Barbara Gordon, Vice-Chair
Dennis Capik
Kelly Niles
Larry Preston*
Shelly Sandford
Mark Worrall

*Denotes Commissioner absent

STAFF:

Lisa Smith, Planner
Helen Johnson, Planning Administrative Assistant

OTHERS:

Scott Jensen, Port of St. Helens
Andrew Niemi, Engineer for Port of St. Helens project
Lynn Dawson, Columbia City Resident
Chip & Kit Gardes, Columbia City Residents

MEETING TO ORDER:

Barbara called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE:

Barbara led the pledge of allegiance.

APPROVAL OF MINUTES:

IT WAS MOVED (DENNIS) AND SECONDED (MARK) TO APPROVE THE MINUTES OF THE OCTOBER 14, 2014 MEETING, AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Lisa brought to the Chair's attention the agenda needs to be amended. Item 5 needs to read Public Decision, not Public Hearing. It will remove any reference to public hearing and remove items related to input. A public decision is based on the written comments in the record. There was a 14-day written comment period publicized in the newspaper and notice was sent to the required property owners under CCDC 7.164.

IT WAS MOVED (SHELLY) AND SECONDED (DENNIS) TO AMEND THE AGENDA AS DISCUSSED. MOTION CARRIED UNANIMOUSLY.

CITIZEN INPUT AND REQUESTS:

None.

PUBLIC DECISION:

Barbara stated she knows Andrew Niemi, but there is not a conflict as they have never discussed the topic of tonight's decision.

Staff Report:

Barbara asked Lisa to present the November 1, 2014 staff report. Lisa clarified that Chapter 7.164.080 of the City's Development Code outlines the process for site development review decision-making and because we haven't done one in a while she wanted to refresh the Commissioner's on the process.

Lisa said the request being discussed is a site development application received from the Port of St. Helens to construct a 1,925 square foot meeting room. Lisa commented she had attended a pre-application meeting at the Port of St. Helens in their existing public meeting space and understands their need for an increased and improved space. The request doesn't create a new use, but creates a change to an existing use.

Lisa stated property owners within 100 feet of the site were mailed notice and a notice was published in the newspaper. A site development review requires a 14-day written comment period. During the 14-day comment period, we didn't receive any written comments. Notices were also sent out to agencies as required and outlined in the staff report, without any objections.

Lisa continued to review the staff report entirely with minimal clarification questions asked from Commissioners to both Lisa and the applicant.

Barbara expressed concern about parking, is the proposed amount of parking going to be adequate. Lisa stated the Port's proposal meets code requirements.

Lisa discussed with the Commissioners that the street adjacent to the Port property is defined as a collector street in the City's Transportation System Plan (TSP). Which by definition is a bigger street and set to take more traffic than a regular neighborhood street. At this time the street is physically no different than any other neighborhood street. Lisa stated "E" Street is not the designated truck route for the Port property, it uses Pacific Street. The City's TSP is in need of updating and until that plan is updated, it is difficult to call out what improvements are needed to "E" Street. Without created planning documents outlining standards it is unlikely street improvements would be done in the near future. When we require street improvements, but can't define what the improvements are to look like, the City gives the option of a non-remonstrance agreement. This agreement obligates the developer to participate when the street is designed and the finances are lined up to make the improvements. Lisa explained code allows us to accept a non-remonstrance agreement if findings have been made that; it is unlikely the street improvements will be extended in the foreseeable future; the improvements associated with the application, which would be meeting room, does not by itself demand significant improvement to street safety or capacity; and additional planning work is required to defined the appropriate design standards. Lisa also stated if the application is approved and the meeting room is built, it would only contribute to a minor portion to the anticipated future traffic on this street. The TSP identifies "E" Street as having 1600 vehicle trips per day. Obviously the Port's meeting room is not generating the trips. Lisa explained these reasons provide the ability for the acceptance of a non-remonstrance agreement in this situation for street improvements.

Lisa explained the limited land use decision process is outlined under chapter 7.164. The applicant had a pre-application meeting in September, forms were submitted with the required fees on October 14, 2014, the application was reviewed for completeness and required notices were sent out on October 21, 2014. The notice was published in the paper on October 22, 2014 and the staff report has been available to the

public since November 1, 2014. The written comment period expired at 5:00 p.m. on November 5, 2014 and the public decision is scheduled this evening, November 12, 2014.

Lisa read from the report that staff recommends approval of the Port's meeting room based on all the findings contained in the staff report. Lisa did state, "the phrase in the staff report that says, subject to review of written comments, if any" can be stricken. The staff report was issued on November the 1st and the written comment period did not expired until November the 5th. No written comments were received.

Barbara wanted to ask a question of the Port. Scott Jensen, Planner for the Port of St. Helens, introduced himself. Barbara asked what the Port's expected use of the meeting room would be. Scott explained that it would primarily be used for Port business. He said they have considered allowing other government agencies or specials districts to use the facility. Barbara asked if private businesses, companies or individuals would be able to utilize the facility. Scott answered that is not what they do want to do with the space.

Commissioner Shelly asked about the no parking signs along "E" Street. Scott was unsure if that was something placed by the City or by the Port. Shelly's concern is if there is no parking along "E" Street the overflow would then go to residents driveways and in front of their homes. Lisa stated that the parking from the driveway of the Port property down towards the river probably has been posted no parking by the City to eliminate trespassing. The request was potentially at the request of the citizens. As for the area towards the highway, Lisa was unsure why that is posted no parking and would have to ask for the reason. Barbara again stated the parking requirements have been met and the Commissioners would not be allowed to require additional. Scott also stated that when they have their meeting with higher attendance, typically the attendees are coming together and not individually, which cuts down on the parking need. Lisa also mentioned the meetings are typically held in the evening and the West Oregon Wood parking would also be available.

Applicant Presentation:

Scott stated the need for improved space has been talked about. He said the Port did consider enlarging the existing conference room, but the space to expand was limited and the type of building would be expensive to expand. When looking at the costs, it made more sense to create something new that meets all the needs, instead of investing in the old space and not be able to meet all the needs. Scott talked about their meetings having standing room only and that they have needed to relocate some of their meetings off the Port property. What is being proposed meets their needs with the least impact. The new meeting building will give an opportunity to make a better impression and be able to respond to the public in a better way.

Written Comments:

Lisa explained she would read comments sent by email from Planning Commissioner Larry Preston who was not able to attend the meeting. Lisa did comment that it is unusual for a Commissioner to submit comments to a meeting they will not be able to attend and hear the entire substance of the discussion. The comments come only from the Commissioner Preston's understanding of the staff report. She also stated she has not had a conversation with Larry. Lisa then read the email dated Wednesday, November 12, 2014 from Larry Preston.

Barbara asked for clarification of a non-remonstrance. Lisa explained that when we form a local improvement district, which would happen at a time when the street design and requirements have been determined, property owners who have signed these agreements will participate financially in their portion of the improvements. The portion is usually based on the foot of frontage and amount of traffic they generate.

Staff and Commissioners discussed that requiring the Port to building the improvements to the Street, when the needs and design have not been determined would not be reasonable, especially because the application being presented is only for a change to their existing meeting space. It was discussed that if there were an industrial use being added to the Port's property, then the street improvements would be different and more necessary.

Andrew Niemi was introduced as the Port's Engineer on this project. Andrew stated from his experience as an engineer in the community, he has seen half street improvements be required and they are very awkward to pull off and they typically present a very patchwork look.

The Commissioners agreed that it would not be appropriate for this application to require immediate construction of street improvements.

Shelly stated she did like and agree with the location of the new building as it has the least impact on the residential neighborhood and the existing trees.

IT WAS MOVED (KELLY) AND SECONDED (MARK) TO ADOPT THE FINDINGS IN THE STAFF REPORT AND APPROVED THE SITE DEVELOPMENT REVIEW SUBJECT TO THE CONDITIONS OF APPROVAL FOR THE PORT OF ST. HELENS APPLICATION FOR ADDED MEETING SPACE. MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Lisa provided Commissioners with the latest version of the Ordinance amending Accessory Dwelling Units (ADU) in the Development Code. She explained Commissioner Dennis provided some additional information that was important to incorporate into the changes being proposed. One of the things included language regarding occupancy.

Lisa asked the question about detached ADU's, the Commissioner's and staff discussed at length the idea of allowing a detached ADU on lots 10,000 square feet or large as long as all other development code requirements can be met. Lisa will prepare two options to be presented at the public hearing in January and the Commissioners agreed. Lisa stated the changes would have a date of creation associated with them so that the recently created ADU's would not have to follow the new standards being created.

Lynn Dawson from Second Street, Columbia City wanted to speak about portable ADU units. She shared a story regarding a group of adult kids with an elderly mom. They were not able to afford to renovate their houses to accommodate her, but she had a handicap accessible RV that was moved between the siblings in order to assist taking care of her. Lisa explained that a portable unit was not something Columbia City wanted for the community in the past. Lisa did offer, after this process has been completed, to do some research on portable units with a medically driven hardship for discussion at a future meeting.

Lisa addressed the Commissioners on the topic of medical marijuana. The Council has asked her to start looking at exactly what is it and where do you put it, what direction makes sense for our community. From the research she has done, it appears to fall into three categories; production, processing and dispensing. All separate uses have different impacts. Packaged product could be considered retail and might work in a commercial facility. Growers would fall more under an industrial use similar to a nursery. The concern was discussed with growing is that it can create a smell. Processors would have different impacts, as they will be drying, creating powders, oils etc. and would probably fit best also in an industrial

zone. Lisa stated, this discussion is focused on marijuana created for medical uses and what the different types of processes were and where they could be permitted by zone. Recreational uses will be addressed in the future. She explained this topic needed to be discussed and addressed before the end of May when the moratorium is over.

NEW BUSINESS:

Lisa said there would be a public hearing at the January 13, 2015 meeting regarding accessory dwelling units.

ADJOURNMENT:

IT WAS MOVED (DENNIS) AND SECONDED (SHELLY) TO ADJOURN THE MEETING. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at approximately 8:56 p.m.

Barbara Gordon
Planning Commission Co-Chair

Attest by:

Helen K Johnson
Planning, Building Administrative Assistant