

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Planning Commission Minutes; Thursday, December 13th, 2018 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

Commissioners;

Scott Jensen	Vice Chair
Bill Blank	Commissioner
Bruce Shoemaker	Commissioner
Rita Bernhard	Commissioner
Kevin Freimuth	Commissioner

City Staff;

Laurie Oliver	City Planner
Elizabeth Happala	Office Administrator III

EXCUSED:

Tim Connell	Chair
Patricia Gibson	Commissioner

3.0 APPROVAL OF MINUTES

3.1 September 13th, 2018 meeting

Commissioner Blank stated the minutes looked great except under the Comments section it should have stated WWII Japanese Internment not WWI.

Commissioner Bernhard moved, and Commissioner Blank seconded the motion to approve the October 11th, 2018 Planning Commission minutes as amended.

Motion Passed 5-0. AYES: Vice Chair Jensen, Commissioner Blank, Commissioner Shoemaker, Commissioner Bernhard, and Commissioner Freimuth.

4.0 CITIZEN INPUT

(a few high school civics students & their parents in the audience)

5.0 NEW BUSINESS

5.1 DOCKET # DCTA2-18

The Scappoose Planning Commission and City Council have scheduled Legislative Land Use Public Hearings to solicit comments on the following proposed amendments to Scappoose Development Code:

1. The addition of a new Chapter to the Development Code, Chapter 17.126 – *Food Cart Pod Permits*.
2. An amendment to Chapters 17.62 -*General Commercial (C)* and 17.68- *Expanded Commercial (EC)* to add food cart pods as a permitted use.
3. An amendment to Chapters 17.69-*Public Use Airport (PUA)* and 17.70-*Light Industrial (LI)* to add food cart pods as a conditional use.
4. An amendment to Chapter 17.162 - *Procedures for Decision Making--Quasi-Judicial* to clarify the approval process for food cart pod permits.

Format: *Legislative hearing, (not Quasi-Judicial) both oral and written testimony are permitted.*

Vice Chair Jensen read the docket, opening statement and the order of the hearing then called for the staff presentation.

City Planner Oliver went over the staff report and Council recommended changes.

Commissioner Shoemaker asked if on page 5, item D; where did the 26 feet in length come from.

City Planner Oliver stated that this code was from the City of Happy Valley which many items were kept and seem standard.

Commissioner Shoemaker asked about the covered area being permanently attached.

City Planner Oliver stated that it just needs to be attached so that it does not blow away easily. Adding that it was language from the Oregon Building Codes whereas the intent is that it makes it safer and more secure.

Commissioner Blank asked if the covered structure has a roof to make it more permanent.

City Planner Oliver agreed it could be like a carport without walls, adding that they didn't want to specify that it is site built but it needed to be permanently attached to give them some flexibility.

Vice Chair Jensen referred to page 3 item E.2. regarding "continuous site-obscuring structure, solid fence or hedge", he would like to know who would maintain the back side of the stained cedar as it states the requirement of "stained" and "cedar".

Commissioner Freimuth asked about a 3' setback so the pod owner could have access for maintenance.

City Planner Oliver stated that they could change it to read; "solid wood fence" which would be an easy fix.

Commissioners agreed that "stained cedar" is too specific.

City Planner Oliver will change the language of E.2. to replace; "stained cedar", to match previous language in E.1., with "continuous, sight-obscuring fencing of wood". Noting that the following item "or ornate metal" remains as is.

Vice Chair Jensen referred to page 4 item L; asked for distinction between sewer and water utilities as one and the power utility should be given some flexibility.

Commissioner Blank stated that he has been to the Beaverton Food Cart area across from City Hall, that everything is connected in the back of the pods; if he was requesting the same.

Vice Chair Jensen stated that it would give them flexibility to move power lines easier if they are not underground.

Commissioner Blank stated that everything was away from the public access for liability purposes.

City Planner Oliver added that initially when she took the first draft to council, she had a section under utilities to allow for above ground utility if the pod was there for less than 4 months; but they were not interested in above ground utilities.

Commissioner Blank stated that he has talked to food cart owners and they usually sign a 1-year agreement.

City Planner Oliver added that essentially a Type 2, we would have a land owner developing his site similar to an RV Park with inground utilities, then renting out the spaces. Then addressing Vice Chair Jensen's comments; referring to page 7. Item M.; that since the PUD is one of the City's service providers, they could approve an applicant's request and the city could then consider it for flexibility.

Commissioner Blank asked if they would submit the application plan to the city.

City Planner Oliver agreed adding that it would then be a Type II and it would go to Planning Commission for approval. Stating that if it's a Type I in a parking lot, it must be self-contained without any cords or hoses.

Vice Chair Jensen agreed that the section under conditions of approval would work; then asked if they want to consider allowing a Type I to have power without having a generator running.

City Planner Oliver added that Dutch Brothers is different but a little similar, where they are in a parking lot, fully connected and paid all their SDC's so we could let a food cart go through the Type II process if they elected to go that route.

Commissioner Blank stated there is a sound/decibel restriction.

City Planner Oliver agreed, and it's noted on the top of page 5 item Q; which refers to our Municipal Code related to noise.

Vice Chair Jensen asked if City Planner Oliver wanted to add anything to the updated sections.

City Planner Oliver stated that the changes are just plugging in the permitted uses in the right sections, and the approval criteria for each.

Vice Chair Jensen asked for any other discussions, as there were none, he closed the hearing at 7:42 pm; then asked for any proponents or opponents, there were none; he then opened it up for deliberations.

Commissioner Freimuth stated that this will make several people happy as this has been an ongoing discussion with several people he knows as the temporary permitting doesn't work.

Commissioner Bernhard stated they have become very popular.

Commissioner Blank agreed that food carts are great to have but trying to visualize where one would fit in with the space and the parking is difficult.

Vice Chair Jensen added that the house they were talking about last time, in relation with the putt-putt golf site, would be a great candidate for this.

City Planner Oliver added that it is in the EC zone but not on the highway; adding that there are a lot of older homes along the highway that are commercially zoned including several on First St.

Commissioner Freimuth added that food carts can be a good business model with little overhead.

Commissioner Blank added that if we have good policy then it would drive them to make it work.

City Planner Oliver added that we just needed the standards to be put in place.

Vice Chair Jensen added that if there are gaps then we can fix those later and he is looking forward to seeing someone build a nice one to set the standard. Adding that this is a lot of good work and he is looking forward to more food options in town.

Commissioner Blank added that this is a long motion with the fencing changes.

Vice Chair Jensen stated that the motion would be recommending approval with the proposed changes to fences for City Council approval.

Commissioner Freimuth moved, and Commissioner Bernhard seconded the motion to recommend approval of Docket DCTA2-18 with the amendments to City Council. Motion Passed 5-0. AYES: Vice Chair Jensen, Commissioner Blank, Commissioner Shoemaker, Commissioner Bernhard, and Commissioner Freimuth.

Commissioners thanked City Planner Oliver.

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver went over the December & January calendar.

6.2 Commission Comments

Commissioner Blank stated that City Council still has a chance to make changes to the Food Cart ordinance and wished everyone a Happy Holiday.

6.3 Staff Comments

City Planner Oliver stated that the Food Cart Ordinance would become effective Feb. 22nd adding that in January we adopted several changes to our development code to encourage more affordable housing; and is happy to state that they held their first pre-app for a Cottage Housing development.

Commissioner Bernhard added that there are a lot of folks that don't need to have a huge home or property to maintain.

City Planner Oliver added that there is Pre-App in January for a 36-unit apartment complex just west of the Credit Union on NW 1st St. and on Jan. 3rd they will have their Pre-App with PCC. Adding that today they had their first technical advisory committee for Urban Renewal; which will be discussed at the Annual Town Meeting in February.

Vice Chair Jensen added that there were a lot of people involved with the initial feasibility study to fund some these items and this was just the first meeting.

City Planner Oliver added that Council did go through a process where they did a 6-month feasibility study to hire consultants and identify the funding.

Vice Chair Jensen added that the city wouldn't need to fund all of it as some development would support those special districts that is outside the Urban Renewal area.

City Planner Oliver added that it would be a decent amount of money to look at NW 1st and around City Hall; and how to connect the two sides the highway or a downtown hub.

Commissioner Bernhard added that this funding option is used around the state.

Commissioner Freimuth asked if the Urban Renewal would include fixing up the buildings along the Highway.

City Planner Oliver agreed it would include façade improvements, as long as that was added to the project list.

Vice Chair Jensen added that it could also include highly incentivized redevelopment.


City Planner Oliver added that there are instances where the money could be used to purchase a property and move a business in that lines up with the vision.

Vice Chair Jensen stated that it is a 20-40 year vision with the higher buildings, but maybe 15 years from now, properties will develop with that height.

Commissioner Blank added that the Century Bike ride was voted as one of the top 5 bike rides in the state.

7.0 ADJOURNMENT

Vice Chair Jensen adjourned the meeting at 8:01pm.



Vice Chair Jensen for Chair Connell

Attest:



Elizabeth Happala, Office Administrator III