

**PLANNING COMMISSION
MINUTES**

February 26, 2018
6:30 p.m., DSB Auditorium

Commissioners present: John Drentlaw, Brian Pasko, Tom Peterson, John Gray, Gail Holmes, Mark Fitz, Michael Wilson
Commissioners absent: Mary Phillips, Christine Drazan
Staff present: Jennifer Hughes, Mike McCallister, Darcy Renhard

1. Commission Chair Drentlaw called the meeting to order at 6:33 p.m. There was no public comment on things outside of the agenda items. Planning Commission members had no *ex parte* conflicts to disclose.

Jennifer Hughes presented the proposed amendments to the ZDO and Comp Plan under ZDO-266, which is phase 4 of the ZDO audit. This is the first of 2 phases under the work program for this year. The plan is to do the final auditing next year. Even though there is a lot of material in front of the Planning Commission and there are hundreds of proposed amendments, we really are not changing very much. Most of what we are doing in this phase is housekeeping. The substantive changes are minimal. Specifically, the main changes that are being proposed are:

- Allow more solar energy generation than is currently allowed;
- Resolve the question of whether swimming pools are included in lot coverage;
- Clarify where master planning is required;
- Make a couple of changes to where Design Review applies;
- Repeal the technical plat standards, as they will be included in the Surveyor's Code;
- Add a couple of prohibited variances in accordance with State Law;
- Require the Planning Commission to review applications for certain large gatherings as required by state law, as well as requiring a pre-application conference;
- Targeted changes to lot coverage allowances;
- Targeted changes to minimum and maximum setbacks;
- Targeted changes to minimum lot sizes;
- Specify the Board of County Commissioners as the approval authority for a Government Camp community parking plan, which is a prerequisite to the approval of a parking structure;
- Repeal maximum floor area ratio in the Campus Industrial zone.

Under Special Uses (auto wrecking yards and junkyards), we are proposing to repeal some of the specific standards and have them covered in Design Review, as well as just requiring 6-foot fencing across the board. We are also proposing to repeal the service station section for the same reason. The attached single family dwellings section would be repealed because these standards will be addressed elsewhere.

Under Exceptions, we propose to adopt a side and rear yard setback exemption for mechanical units and fences/walls. Currently a setback is required for mechanical units in some zones, and the code is not explicit regarding fences. With the proposed amendments, mechanical units will be allowed on the property line. Fences would still be required to be set back in industrial zones. We are also proposing to add a height exception for clock towers as we have for other types of towers.

Under Development Standards we are proposing to repeal the storm drainage section because it is so out of date. It pre-dates the service districts that actually oversee storm drainage in much of the county. Some standards will be retained but moved to the section that deals with sewer, etc.

In the Landscaping section, we are mostly just doing clean up. We are proposing to standardize the screening and buffering standards by proposing a minimum height requirement for things that act as a screen.

The Parks District has asked us to repeal the standards for the Sunnyside Village parks fees because all of the park sites have been developed.

We are consolidating Lot Size & Density into one section to make it easier to find the standards. We would repeal the design standards for land divisions as most of them are already obsolete. Those that are not obsolete would be addressed in other sections.

Parking and Loading standards would be revised to allow greater flexibility in allowing (but not requiring) larger parking spaces.

Solar Access Permit standards have been in the Code since the late 80s, but have never been used. They are legally questionable as currently written, so we are proposing to repeal them.

In response to feedback from outside sources, there are a couple more proposals that staff is bringing to the Commission. We have been asked to allow new churches as a Conditional Use in the MR-1 zone and are proposing to do the same in the PMU and MR-2 districts. For some reason, they are excluded from these zones, whereas they are allowed in the higher and lower density zones. We propose to repeal the minimum site area standards in HDR, SHD, RCHDR, RTL, OC, and CI zones. There was a reason for it originally, but we have found recently that it has locked people in with lots that they cannot do anything with. We would allow exceptions to the commercial/industrial maximum building size standards in unincorporated communities (Mulino, etc.) in order to sync our code with State law to provide for these exceptions. If the proposed use were a service to the residents or tourists, then there could be an exception applied to the 4,000 or 8,000 sf maximum. We are also asking to repeal the prohibited street tree list and the calculation methodology for the fee in lieu of improvement because Transportation Engineering has developed a list of approved vegetation for use in the right of way, and the amount of the FILO has been adopted in the county fee table.

In response to prior land use cases, we would amend the authorization of similar use provisions so that it is clear that the comparison is to other uses permitted within the same zone, not all uses in the ZDO. We would also clarify that this type of determination is zone-specific rather than site-specific. We would also amend the definition of home occupation so that it did not say “clearly subordinate to the residential use of the subject property”. There would be a correction to a procedural discrepancy for review of historic landmark relocation or demolition. Additionally, the amendments would repeal the unconstitutional adult business standards.

Staff is recommending several changes to the draft sent to the Planning Commission: retain the minimum density standards for the RCHDR zone in Section 315, or move the standards to Section 1012; retain Subsections 1005.01 and 1005.07, retain references to the VO District in Section 1009, and move the definition of site area from Section 315 (where we are proposing to delete it) to Subsection 1016.08(B)(1), where it is currently cited.

Commissioner Pasko asked for more information on the Planning Commission review of large public gatherings. He asked if this would create First Amendment issues. Jennifer explained that there is a statutory requirement to have the Planning Commission review any of these applications for events that last more than 120 hours in a 3-month period. We would not be weighing in on the content of the event, just reviewing for land use issues and other health and safety codes.

Commissioner Holmes asked how large the parcel is that is referred to in Exhibit 1 and what they are proposing. Jennifer answered that there is a 25 dwelling units per acre maximum in HDR, but other than that she does not know anything about what they are proposing.

There were no government agencies, CPOs, hamlets, or villages that wished to testify.

Vitaly Verizen, 3333 SE Concord Rd- Mr. Verizen represents a church that is restricted by the MR-1 zoning that it is in. They would like to improve their church facilities and add on to the church, possibly building a recreational center. He is in support of the changes that are proposed tonight.

Mike Connors, 1331 NW Lovejoy, Portland-Mr. Connors is present on behalf of Embray Asset Group. He is testifying in support of the proposed amendments that would allow an exception to the 4000 sf limitation in unincorporated communities. The BCC heard this same proposal a couple of years ago and decided to table it for a

while. It ended up being postponed longer than originally intended, but now it is before the PC again. He supports the proposed amendments that staff has presented.

Constantin Sullikan, 16682 SE Webster Rd., Gladstone – Mr. Sullikan is also a member of the church that was represented earlier. He would like to see additional activity space for the children and community to use. He is testifying to show his support of the proposed changes. Commissioner Holmes asked if the proposed recreational center would be for the church members only, or would it involve others within the community? Mr. Sullikan said that he could see this as something that included the rest of the community.

Aleks Bradkov, Vancouver, WA- Mr. Bradkov is also in support of these proposed amendments and supports them. This would have a positive impact on the families in this church.

Commissioner Fitz asked when it crosses over from being a community use or a church facility and becomes a fitness center. Commissioner Pasko answered that a fitness center is a standalone business, whereas this would clearly be a subordinate use to the church.

The public hearing portion of the meeting was closed.

Commissioner Pasko asked for clarification on the proposed changes to solar standards. Jennifer explained that this time it covers 2 things. In Section 202: Definitions, it would allow accessory solar energy systems to generate as much power as a person wants, as long as they are only on the roof of the main structure(s). Currently, as an accessory use, you can only generate as much power as you are able to use on the property. Solar energy systems are an accessory use in every zone, which we are not proposing to change. The second change is to repeal Section 1019, which currently allows you to restrict your neighbor's vegetation that might block your solar panels. This has never been used, and actually allows for different treatment for different people so it raises legal concerns.

Commissioner Pasko moved to recommend that the BCC approve the proposed amendments to the ZDO and Comp Plan as presented by staff, as well as the four technical amendments. Commissioner Wilson seconded the motion. *Ayes=5 (Pasko, Wilson, Holmes, Peterson, Drentlaw); Nays=0; Abstain= 2 (Gray, Fitz). Motion passes.*

Planning Commission recruitment is still going on. It will close on March 13th. Currently there are around 17 applications.

Mike McCallister introduced new Senior Planner, Anthony Riederer, to the Planning Commission, and Anthony explained a little about himself.

Commissioner Peterson moved to approve the minutes as submitted from the January 22nd meeting. Commissioner Gray seconded the motion. *Ayes=6 (Peterson, Gray, Pasko, Drentlaw, Holmes, Fitz,); Nays=0; Abstain=1 (Wilson). Minutes are approved.*

There being no further business, the meeting was adjourned at 8:04 p.m.