



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, September 13, 2016

PRESENT: Gary Stonewall, Chair
Jack McGiffin
Les Bick
Keith Kudrna
Ed Jones

ABSENT: Steve Kaufman
Greg Walczyk, Vice Chair

STAFF: Erika Palmer, Senior Planner
Devree Leymaster, City Recorder

1. CALL TO ORDER

Chair Stonewall called the meeting to order at 6:30 PM.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Stonewall inquired if any person would like to speak on a non-agenda item, hearing none moved to approval minutes.

3. REVIEW AND ADOPT MINUTES

Commissioner Kudrna moved to approve the April 26, 2016 minutes and Commissioner McGiffin seconded. The motion passed unanimously.

4. DISCUSSION ITEMS

a. Fairview Lake Natural Resource Code Amendments

Senior Planner (SP) Palmer summarized each property is platted with a 35 foot conservation easement and there are Conveyance, Conditions & Restrictions (CC&R's) defining what the property owners may do. She noted the city does not enforce CC&R's. Staff has contacted Metro regarding the process to reduce the 50 foot buffer to the 35 foot conservation buffer to remove the regulatory conflicts.

SP Palmer shared the proposed code changes as follows.

- Establish a consistent 35 foot buffer.
- Add erosion control management language adopted from the best management practice guide. Would be a Type II review process.
- Create a standard for fencing. No more than 3 feet in height and provide visibility i.e. lattice.

She commented on the prior idea to have a two-step buffer. When staff tried to create a process for it they found it would be arduous for the applicant and difficult to enforce; hence, this proposed option.

Commissioner Kudrna inquired about the allowable percentage of usage within the buffer without mitigation standards. SP Palmer replied mitigation standards are not included in the Fairview Lake buffer; they are included in other riparian buffer codes.

Chair Stonewall asked if landscape plans within the buffer would still be required. SP Palmer replied yes, that will not change.

Commissioner Kudrna indicated his support of a 35 foot buffer. Chair Stonewall agreed and commented a 35 foot buffer solidifies what is currently present. The Commission directed staff to move forward with the Fairview Lake buffer amendments.

SP Palmer commented the next step will be for staff to prepare a public notice as per state law, and write the staff report and findings. She expects the process to be completed by the end of year or first of next year. Once the change is made, staff will make a public outreach effort, and continued effort, to remind property owners what is and isn't allowed within the buffer.

b. Food Carts/Trucks

SP Palmer commented that staff is being asked about food carts/trucks at the counter. They have received an inquiry from a business along Halsey Street that would like to place a food cart on their patio. The Halsey business is within the Town Center Commercial (TCC) zone. Currently this type of request is allowable through a 90-day Temporary Use Permit, but the request is for long term placement.

Staff is requesting Commission direction as to whether food carts/trucks should be allowed; if so, where; and what is the definition of a food cart?

Commissioner Kudrna indicated interest in exploring the idea where there is pedestrian access, in an area that can support it. The Halsey Corridor may be a good fit.

Commissioner Jones remarked he likes the 90-day option, with the ability to extend longer. If there are unforeseen issues the city will have recourse. He noted Gresham has an annual permit process.

Commissioner Kudrna commented when an applicant is not in compliance with code standards and conditions of approval, the code should include a specified time to correct or be shut down. Commissioner Jones agreed, and noted there should be language to prevent perpetual offenders.

Commissioner Jones remarked issues like size limitations, including height, physical barriers to separate all heating/cooling equipment from the public, etc. need to be determined. Commissioner Bick noted allowed site conditions i.e. traffic; safe pedestrian access, etc. need to also be considered.

The Commission supported staff moving forward and drafting proposed language for food carts.

5. COMMISSION UPDATES

None.

6. STAFF UPDATES

Senior Planner shared the following.

- Northbrook Development – pre construction meeting is scheduled next week.
- Multi-Family, 49 unit, development at NE 205th. If information submitted in time, Planning Commission may have the design review public hearing at the Oct. 25 meeting.
- Fairview Elementary is proposing a new school. The design review and variance to reduce bike parking could come to Planning Commission Oct. 25 or Nov. 8.
- Draft Transportation System Plan (TSP) document should be out next week. Planning Commission should review by end of the year.

7. TENTATIVE AGENDA

- October 11 or 25 (TBD) – proposed language for Food Carts.

8. ADJOURNMENT

Meeting adjourned by consensus at 7:06 PM.



Devree A. Leymaster
City Recorder



Gary Stonewall
Chair



Date