



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, March 26, 2019

PRESENT: Hollie Holcombe, Chair
Russell Williams, Vice Chair
Steve Owen
Les Bick
Steven Hook

ABSENT: Jeff Dennerline

STAFF: Sarah Selden, Senior Planner
Eric Rutledge, Associate Planner
Devree Leymaster, City Recorder

1. CALL TO ORDER

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

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

None.

3. PUBLIC HEARING

a. File Number 2019-5-ZC NE Marine Drive Zone Change

Chair Holcombe read the Legislative Hearing opening statement. Senior Planner Selden presented the staff report and proposed amendments. (*Exhibit A*) The proposal is for a zone change from Agricultural Holding (AH) to General Industrial (GI) to implement the Comprehensive Plan and correct a previous procedural error associated with a 1993 land use decision. The site is currently known as Allwood Recycling. The city initiated the zone change to correct a past procedural error. The site should have been rezoned in 1993, but the map was never changed and the site remains in AH. SP Selden summarized the proposal meets zone change criteria and staff recommends the Commission forward a recommendation of approval to the City Council for 2019-5-ZC.

Mark Wubben, owner, Allwood Recycling, Fairview, OR commented he recognizes this was a procedural error and supports the correction and zone change.

Commissioner Bick commented he has heard positive comments regarding how Allwood Recycling runs their business.

Vice Chair Williams moved to recommend the City Council approve application 2019-5-ZC and adopt Ordinance 6-2019 and Commissioner Bick seconded. The motion passed unanimously.

AYES: 5
NOES: 0
ABSTAINED: 0

4. WORK SESSION

a. Development Code Amendments to Permit Food Carts

Associate Planner Rutledge summarized the Commission had two discussions in 2016 regarding food carts in response to a property owner request. Draft code was created but never brought to the Commission for review and adoption. Recently, staff had an inquiry from a Village property owner. AP Rutledge presented a review of food carts near Fairview and the definition of what is a food cart, and different options for food cart use. (*Exhibit B*)

AP Rutledge asked the Commission to give their initial (first impression) feedback of what they like and what don't they like in the examples presented in *Exhibit B*. Below is a summary of the Commission's comments corresponding to the number reference of the picture in *Exhibit B*.

1. Hook – propane tank; secured, but unsightly.
Owen – clean and crisp, nice area to enjoy food, like tables.
2. Holcombe – like site amenities (shade, plants, etc.).
Hook – plants infringe on tables.
3. Holcombe - don't like plastic, seems flimsy.
Owen - don't like cobbled together awnings, not a good look.
4. Holcombe - better than #3.
Hook - trash receptacle for guests, like windows.
Owen - concerned about materials, path around pod.
5. Holcombe – planters and bench are nice, better than other view in #4.
6. Holcombe – like, not as good as #1.
Hook – like seating.
Williams – like look, cleaner.
7. AP Rutledge noted 7, 8 & 9 are the same site, different views.
Holcombe don't like tent, like lights.
Williams – more substantial.
8. Holcombe - like fence.
9. Holcombe - like screen (entertainment feature).
Hook- noise concerns.
Owen – parking issues.
Bick – hours of operation, how loud.
10. Hook – not fond of tent.
Holcombe – like screening for trash area.
11. Holcombe – like tables.
Hook – like planters, well kept.

AP Rutledge reviewed discussion questions and requested Commission feedback. This information will assist staff in drafting a set of code amendments for consideration and refinement. Below is a summary of the topic and responses.

Stakeholders – neighbors; public input i.e. host an open house, have food cart owners present to answer questions; established food cart owners; and property owner responsible for development.

Key issues – utility connections (temporary or direct connections) and costs associated with. Should they should they be allowed to sell liquor? Are food carts allowed in Blue Lake Park?

General information – how other cities voted on applications (latitude, items of importance that came up), approval process, etc.

Which type of uses (pod or accessory, completely mobile – don't restrict, or allow variety) - Want to encourage nice carts, consider increased traffic due to location i.e. traffic lines, blocking driveways, impacts to adjacent businesses, etc.

Zoning – do not allow in residential, the primary zones should be industrial and commercial, look into allowing on local streets, open to allowing in or in front of parks, would consider push carts on sidewalks – need to consider size and they cannot block.

Other impacts to consider – proximity to water ways (grey water dumping).

Staff asked what items the Commission would like to review with the Council in the upcoming joint work session. Commission replied the regulatory process and overall what their thoughts are. Would like to ask the Council what questions they may have.

The Commission emphasized the need for public outreach throughout this process. Though in concept they support food carts they did have concerns about the impacts to surrounding areas, especially regarding parking and traffic.

5. COMMISSION AND STAFF UPDATES

Commissioner Williams shared he will not be at the June 25 meeting.

SP Selden reviewed the development applications moving forward with building permits. The deadline to submit for building permits, for an approved land use application, is June 30 for the SDC waiver program.

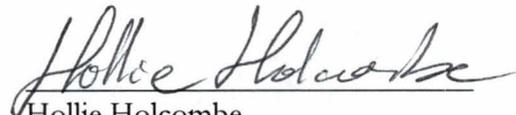
6. TENTATIVE AGENDA

April 23: Work Sessions (CC Zone Mixed-Use & Commission for Citizen Involvement)

7. ADJOURNMENT

Meeting adjourned by consensus at 8:14 PM.


Devree A. Leymaster
City Recorder


Hollie Holcombe
Chair

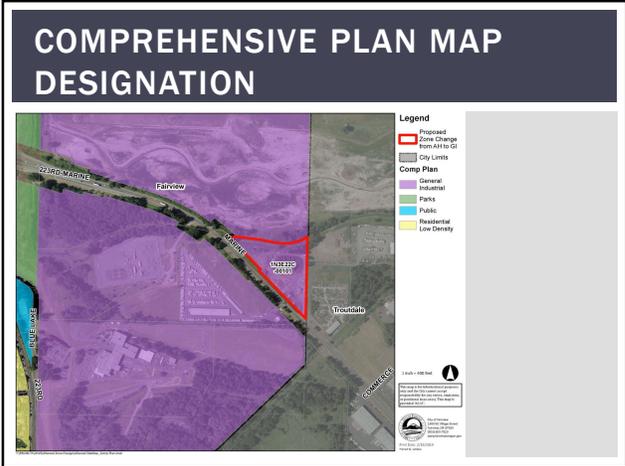
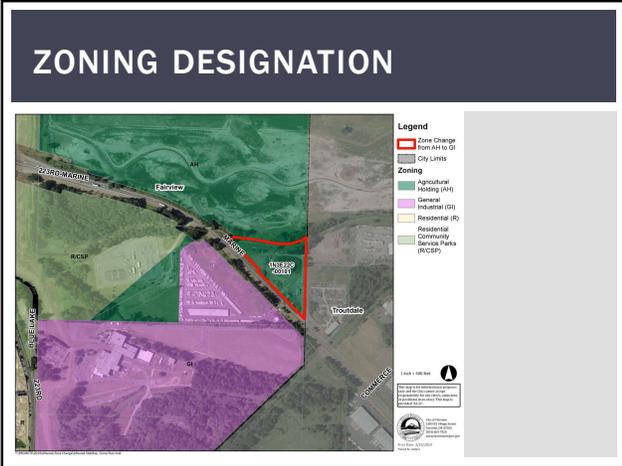
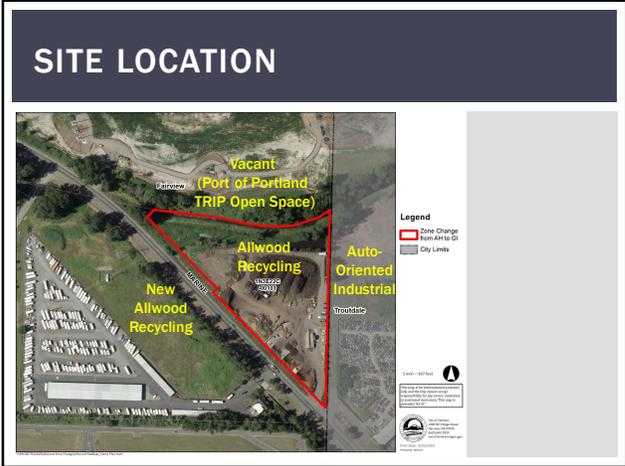
4-23-19
Date

A complete recording and/or video of these proceedings is available.
Contact the City of Fairview City Recorder Office, 1300 NE Village St., Fairview, OR 97024, (503) 674-6224.

PLANNING COMMISSION PUBLIC HEARING

2019-5-ZC Allwood Recycling Zone Change

March 26, 2019



BACKGROUND

1993 Planning Commission approval for Amazon Recycling Facility

- Design review approval for yard debris recycling
- Zone change approval from agricultural to manufacturing

Procedural error:

- Zone change not finalized through Council hearing and ordinance adoption
- Zoning map never changed

ZONE CHANGE CRITERIA

FMC 19.413.040(G), Type IV Procedures – Decision Making Consideration

- 1. Statewide planning goals and guidelines**
Compliance with Goal 9: Economic Development
- 2. Comments from applicable federal or state agencies**
No comments received
- 3. Applicable Intergovernmental agencies**
Metro supports re-zoning for consistency with Title 4 Employment Area designation

ZONE CHANGE CRITERIA

- 4. Applicable Comprehensive Plan policies**
 - Chapter 4 – Agricultural Lands**
Goal: To urbanize all remaining agricultural land in the Fairview Planning Area.
 - Chapter 9 – Economic Development**
Goal: To attract family-wage jobs, clean industry and businesses to serve local needs.
 - Chapter 11 – Public Facilities and Services**
Goal: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve planning area development.
- 5. Comments from applicable federal or state agencies**
No comments received
- 6. Applicable Intergovernmental agencies**
Metro supports re-zoning for consistency with Title 4 Employment Area designation

ZONE CHANGE CRITERIA

FMC: 19.205.020: Criteria

- A.** The amendment will not interfere with the livability, development or value of other land in the vicinity of site-specific proposals when weighted against the public interest in granting proposed amendment.
- B.** The amendment will not be detrimental to the general interests of the community.
- C.** The amendment will not violate the land use designations established by the comprehensive land use plan and map or related text.
- D.** The amendment will place all property similarly situated in the area in the same zoning designation or in appropriate complementary designations without creating inappropriate "spot zoning".

ZONE CHANGE CRITERIA

19.470.600 Transportation planning rule compliance.

- No significant impact on transportation system
 - Marine Drive is a Major Collector, a roadway type “also utilized to access industrial and employment areas and other locations with large truck and over-sized load volumes.”
 - New zoning designation is consistent with Comprehensive Plan, and zoning and use of surrounding area.

COMMISSION ALTERNATIVES

- Recommend City Council adoption of draft Ordinance 6-2019, based on the staff findings in this report.
- Recommend City Council adoption of Ordinance 6-2019, with revised findings.
- Continue the Public Hearing if additional information is needed.

STAFF RECOMMENDATION

Staff recommends that the Commission make the following motion to recommend City Council approval of the zone change:

“Move to recommend that City Council approve 2019-5-ZC and adopt Ordinance 6-2019.”

FAIRVIEW PLANNING COMMISSION WORK SESSION

Early Feedback and
Discussion on Food Carts

March 26, 2019



BACKGROUND

- Summer 2016 Interest from Halsey St. business owner
- Sept-Oct 2016 Discussion Agenda Item
- Fall 2018 Interest from Village property owner
- February 2019 Identified as potential policy update

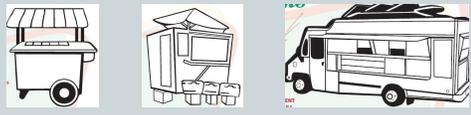


FOOD CARTS NEAR FAIRVIEW



WHAT IS A FOOD CART?

- A mobile food business that markets and sells predominantly to pedestrian foot traffic.
- Individual or groups (pods)
- Size and mobility distinguish them from traditional brick-and-mortar stores



PUSH CART



FOOD CART/TRAILER

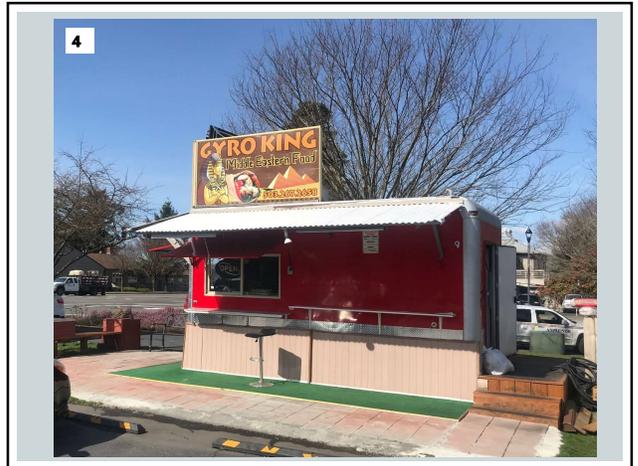
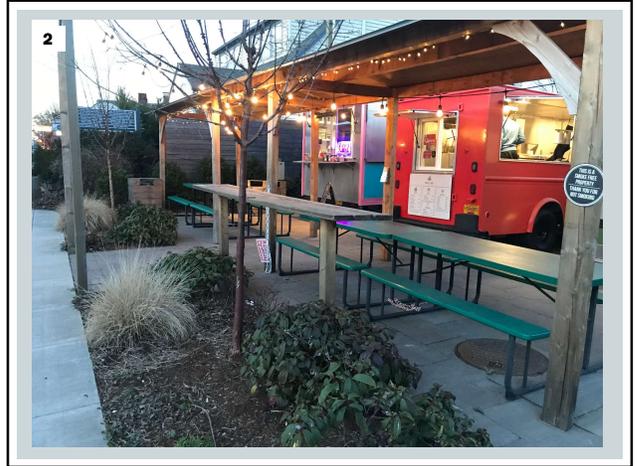


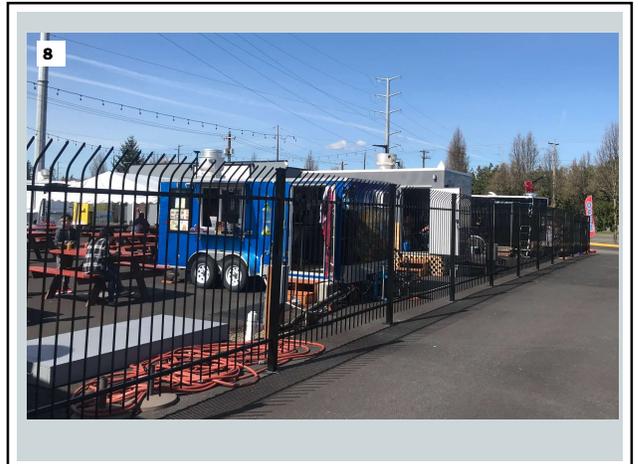
FOOD TRUCK



FOOD CART USES

- Truly mobile food vendors
 - Stays in location for few hours or days
 - Completely self contained, no hookups or site amenities
 - Example sites: Events, lunch in employment areas
- Accessory to a primary use
 - Long-term or rotation
 - Site facilities (e.g. parking, restroom) shared with primary use
 - Example sites: Breweries, convenience stores, retail parking lots
- Food Cart Pods
 - Stand alone site hosting one or more food vendors
 - Carts can rotate, site amenities remain
 - Can include permanent structures for seating, restrooms, etc.
 - Example sites: Vacant properties in commercial zones







PLACEMENT AND DESIGN



PLACEMENT AND DESIGN

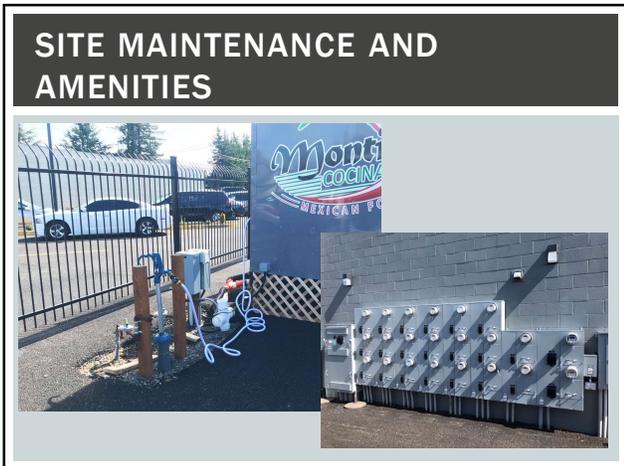


PLACEMENT AND DESIGN



PLACEMENT AND DESIGN





POTENTIAL BENEFITS / IMPACTS

Benefits	Impacts
<p>Community:</p> <ul style="list-style-type: none"> • Positive impacts on street vitality and neighborhood life • New food and drink opportunities • New jobs and businesses (low barrier entrepreneurs) <p>Existing businesses / property owners</p> <ul style="list-style-type: none"> • Complement existing businesses and activities • New activity in underperforming commercial areas • Provide an interim use on vacant properties 	<p>Community:</p> <ul style="list-style-type: none"> • Noise and traffic near residential land uses • Need for restrooms and parking • Aesthetic impact of operations (trash, utilities, etc.) • Environmental impacts (gray water dumping) <p>Existing businesses / property owners</p> <ul style="list-style-type: none"> • Brick-and-mortar stores may feel threatened by food carts and see them as unfair competition that can dilute their customer base

EXISTING REGULATIONS		
Location	Food Carts Allowed?	Applicable Code
Private property	No / not addressed. The Fairview Development Code does not define food carts or list them as an allowed use. Could be permitted as Temporary Use with council-approved interpretation	N/A
Local Right-of-Way	No. Parking on city streets for the primary purpose of selling merchandise is prohibited.	FMC 10.05.120(D)

REGULATORY APPROACHES / CASE STUDIES			
	Jurisdiction	Food Cart Specific Regulations	Notes
Mobile ↓ Permanent	Hillsboro	No	Time limited approach: mobile business licenses issued - maximum 7 hours per day at a site, at must be pre-approved if over 2 hours in a single location.
	Happy Valley	Yes	Residential compatibility approach: standards scaled to intensity of food cart use (e.g. underground utilities required for sites occupied over 120 days). Includes standards and procedures for permit revocation for code issues
	Beaverton	Yes	Permanent infrastructure approach: land use approval required. Strict standards related to utilities, sanitation, and parking. Underground utilities and SDC fees required. Feedback from business / property owners on the high cost of installation. Revised to allow above ground storage of potable / gray water.

- ### DISCUSSION QUESTIONS
- What stakeholders should be consulted in the process?
 - What additional key issues should be researched / considered?
 - What additional information would be helpful?

- ### DISCUSSION QUESTIONS
- Which type of food cart uses should Fairview consider, if any?
 - (e.g. truly temporary/mobile, accessory to a primary use, food cart pod with underground utilities)
 - Which zones may be suitable for food carts, if any?

DISCUSSION QUESTIONS

- **Should Fairview consider allowing food carts on local streets?**
 - (e.g. sidewalk push-carts, food trucks on street)

- **What adverse impacts should be considered in developing potential regulations?**

- **What food-cart related topics/issues should the Planning Commission and City Council discuss together?**

NEXT STEPS

- **Gauge interest from property owners**
- **Joint work session with City Council**

