



MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, July 9, 2019

PRESENT: Hollie Holcombe, Chair  
Russell Williams, Vice Chair  
Jeff Dennerline  
Steven Hook  
Steve Owen

ABSENT: Wendy Lawton  
Les Bick

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. WORK SESSION**

a. Fairview Lake Riparian Buffer: Work Session #1

Associate Planner Rutledge presented a brief history and summary of Fairview Lake riparian buffer regulations and an analysis of potential amendments as referenced in *Exhibit A*.

Commissioner Dennerline inquired if docks are still allowed. Staff replied yes, one dock per frontage is permitted. Commissioner Dennerline clarified the Village has a 35 foot standard riparian buffer. AP Rutledge replied yes, but other water riparian buffers differ; need to refer to the map. Commissioner Dennerline queried how many properties would be impacted by the proposed changes. Staff replied they need more analysis to determine.

Commissioner Hook referred to page 11, exhibit A, item D.1.b. (Flexible landscaping requirements...); not sure what is intended. He also asked about page 16, 19.106.060a (...best management practices (BMPs)...); what is the source and how will it be kept up to date. AP Rutledge replied the code will be kept up to date as other code sections are.

Commissioner Owen asked what level of involvement there is with the Fairview Lake Property Owners Association (FLPOA) and what their expectations are. AP Rutledge replied FLOPA requested the changes and they seem generally supportive. They do have other concerns i.e. weed control. Commissioner Owen proposed inviting them to a meeting; keep them involved in the process and manage expectations. AP Rutledge agreed and noted staff will be working with a lot of regional partners. Senior Planner Selden noted FLPOA understands the city intends to make revisions over time. One of the outreach strategies may be having FLPOA survey all of their members.

b. 2019 Code Maintenance Amendments: Work Session #3

Senior Planner Selden reported she has begun reviewing the questions from the May 28 work session, but does not have anything concrete to present.

**4. COMMISSION AND STAFF UPDATES**

SP Selden reviewed the feedback from the June 19 joint meeting with City Council and requested verification from the Commission.

Corridor Commercial Zone Amendments

Area east of 223rd: feedback leaned toward area being more compatible for non-residential uses. More specific buffering requirements between industrial/commercial and abutting residential zones. Commissioner Dennerline agreed the sense was to keep mixed use as little as possible; keep more commercial oriented. Commissioner Owen agreed, but noted the Council did not make a strong statement.

Building orientation: felt there was less consensus from Council. Seemed to agree the building orientation should be toward the street with up to a 20 ft. setback, but there were some comments about parking/circulation in-between the street and building. Chair Holcombe agreed the direction was vague; proposed the Commission continue discussion and work towards an agreement to present to Council.

Residential/commercial ratio for mixed used: of the three options presented Council supported Option C (commercial occupy the ground floor along 75% of the buildings street facing façade). Commission agreed.

Food Carts

Council was supportive; want inviting developments (restrooms, recycling/garbage areas screened and well maintained). They supported beer and wine being served at food carts. Interested in starting with one property that has a potential developer as a pilot; see how it goes. Commission concurred.

Vice Williams asked how quickly the food cart regulations could be developed; developer could lose interest. SP Selden replied staff is communicating with the property owner and there is momentum for spring or summer next year.

SP Selden reported another joint work session will be scheduled in fall.

SP Selden gave a status update for development projects.

Commissioner Dennerline proposed the Commission look at developing a style code; address HB2001, cottage cluster concept, etc.

**5. TENTATIVE AGENDA**

July 23, 2019 – Field Trip: food cart pods and “missing middle” housing types

**6. ADJOURNMENT**

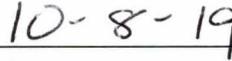
Meeting adjourned by consensus at 8:00 PM.



Devree A. Leymaster  
City Recorder



Hollie Holcombe  
Chair



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.

FAIRVIEW PLANNING COMMISSION  
**WORK SESSION**

**Fairview Lake**  
Riparian Buffer Setback



July 9, 2019  
Eric Rutledge / Associate Planner



**ISSUE**

Request from the Fairview Lake Property Owners Association (FLOPA) to amend the riparian buffer regulations around Fairview Lake



**PROPOSED AMENDMENTS**

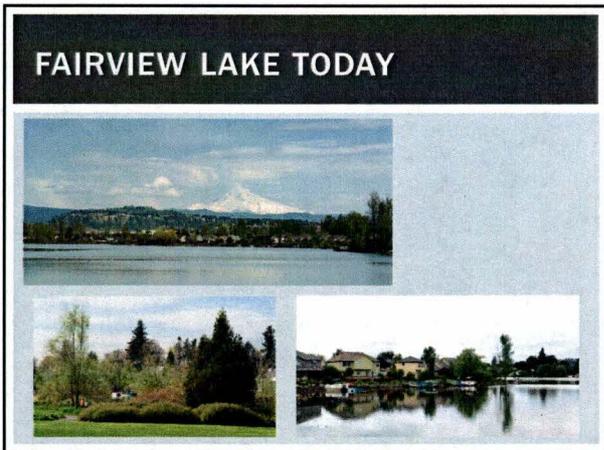
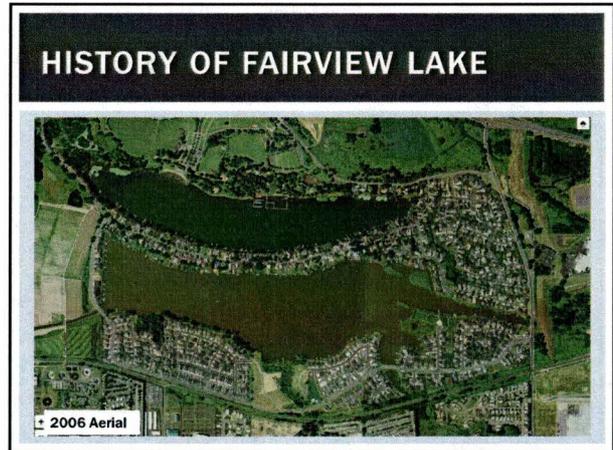
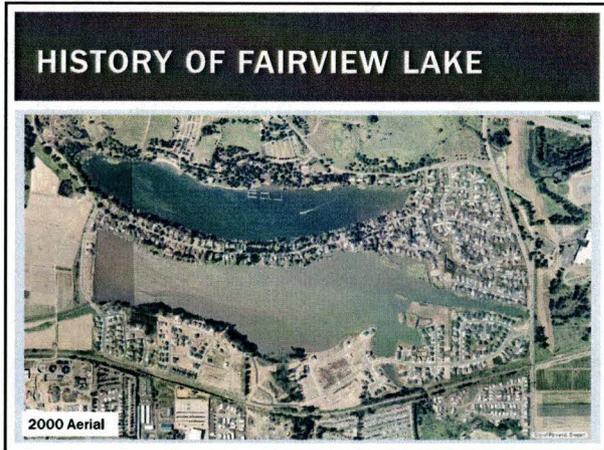
- Reduce riparian buffer from 50 ft. to 35 ft.
- Add bank stabilization hierarchy requirements when alterations are made
- Add fences as an allowed alteration within the buffer zone
- Update the definition of riprap



**HISTORY OF FAIRVIEW LAKE**



1996 Aerial



## RIPARIAN BUFFER HISTORY

Year	Fairview Lake	Comments
1991 - 2000	Various platted subdivisions around Fairview Lake	Subdivision plats included variable width riparian buffer easements, stormwater easements, and wetland tracts around the lake. Easements and tracts included as a condition of subdivision approvals



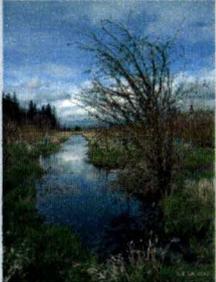
Blue Lake Estates - 50 ft. canal drainage easement



Lakeshore Estates - 35 ft. riparian buffer

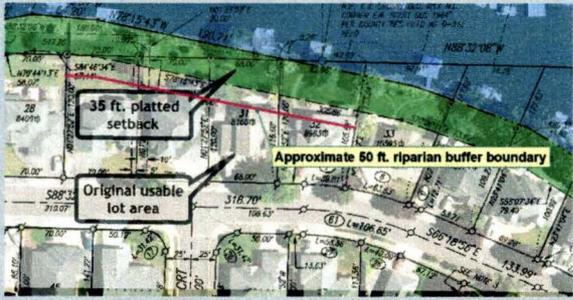
## RIPARIAN BUFFER HISTORY

Year	Fairview Lake	Comments
1993	Riparian buffer adopted into development code - 35 ft.	First code amendment that established a riparian buffer overlay over Fairview Lake, Fairview Creek, Osburn Creek, No Name Creek and Columbia Slough. Included allowed uses, application procedures, and construction standards.  The code did not adequately address Statewide Planning Goal 5 and was required to be amended.
2001	Riparian buffer increased to 50 ft.	Major update to development code to comply with state and regional requirements. Adopted as FMC 19.106 Wetlands and Riparian Buffer Overlay.  Established or increased riparian buffer around all major waterways to 50 ft.  Start of buffer measured from top of bank, or "annual mean high water level" of 11.4 NGVD



Fairview Creek headwaters

## RIPARIAN BUFFER HISTORY



## RIPARIAN BUFFER HISTORY

Year	Fairview Lake	Comments
2012	Riparian buffer maintained at 50 ft.	Update to riparian buffer overlay to comply with Metro Title 13, including refined and sometimes reduced buffers for various creeks.  Established regulations that stand today as FMC 19.106 Natural Resource Regulations



City of Fairview Natural Resource Map

- 25' Resource Protection Area
- 40' Resource Protection Area
- 50' Resource Protection Area
- 60' Resource Protection Area
- Fairview Lake 50' Riparian Buffer
- Platted Subdivision
- Waterway
- Wetland
- Stream

## RIPARIAN BUFFER HISTORY

Year	Fairview Lake	Comments
2013	Riparian buffer maintained at 50 ft.	Updated and added detail to dock standards and procedures. Removed "docks", "piers", and "boathouses" from the list of structures allowed in the setback.



## ANALYSIS OF PROPOSED AMENDMENTS

- Reduce riparian buffer from 50 ft. to 35 ft.
  - Alterations allowed within 15 ft. of released buffer area
  - Impact will vary by property
  - Additional analysis needed to determine erosion, wildlife, and water quality impacts
- Add bank stabilization hierarchy requirements when alterations are made
  - Requires bank stabilization best management practices to be used as first alternative
  - New/additional requirement

## ANALYSIS OF PROPOSED AMENDMENTS

- Add fences as an allowed alteration within the buffer zone
  - Additional privacy between properties
  - Vegetation removal around fence
- Update the definition of riprap
  - Clarifies definition, no significant impact

## KEY ISSUES MOVING FORWARD

- Existing condition analysis
  - Encroachments, habitat quality, etc.
- Determining buffer location
  - Top of bank, 11.4 NGVD, 14.7 NAVD
- Environmental impacts of reduced buffer
  - Erosion rates, water quality, lake sedimentation, wildlife habitat
- Clarify enforcement practices

## KEY ISSUES MOVING FORWARD

- Clarify compliance requirements with state and regional land use regulations
  - DLCD Goal 5: Natural Resources, Scenic and Historic Area, and Open Spaces
  - Metro Title 3: Water Quality and Flood Management
  - Metro Title 13: Nature in Neighborhoods