

**PLANNING COMMISSION MEETING MINUTES**  
**Monday, December 11<sup>th</sup>, 2017, 6:00 PM**

**Planning Commission Members Present:**

Scott Anderson, Chris Ford, Valerie Hoy-Rhodehamel, Shawn Van Pelt

**Shoreline Advisory Committee members:** Bernard Versari

**Staff present:** Ben Shumaker.

**Community Members Present:** Rick May, Terese Stacy

**Call to order:** 6:00 PM

**PRELIMINARY MATTERS**

**1. Chair Selected Public Comment Option #2.**

**2. November 13, 2017 Minutes:**

MOTION: **FORD** moved to approve, **VAN PELT** seconded; unanimously approved.

**3. Public Comment Period:** None.

**NEW BUSINESS:**

**4. Marijuana Business Buffers: Shumaker** provided background on the issue, beginning with a letter that was sent to **ANDERSON** two months ago regarding relaxing the required buffer for marijuana related business. **Shumaker** explained the 1,000ft buffer established through state initiative and its relation to child-oriented locations like schools, libraries, transit centers, and parks. In 2015 the state made allowances for cities to reduce the buffer to as low as 100 feet. The current request asks for a reduction to 400 foot. **Shumaker** shared paperwork and a map from 2014, with the City-developed buffer zone requirements which Shumaker pointed out were likely different from Liquor and Cannabis Board, who develop their maps without input from the City. **Shumaker** also provided draft code text if a change was desired. The code would require a state license, repeat the 1,000-foot buffer which the state still requires for schools, reduce the buffer to 400 feet for other uses, and require for ventilation/odor control. **ANDERSON** clarified that this change would apply to all proposals, not just the current request. **VAN PELT** asked if it needs to go out to the public for comment. Shumaker confirmed it would need to go out to public comment as part of the City Council's review. It starts with the planning commission because it is a neighborhood related issue. **ANDERSON** expressed concern over making changes for a single request and suggested that if the City wanted to encourage more businesses or additional property owners wanted to see modifications to the buffer, then it might be worth more consideration. The group discussed the specific definitions and examples of spaces that were to be included in the buffer zone and **Shumaker** clarified that the boundaries are property line to property line. **HOY-RHODEHAMEL** asked how it would be applied if a new playground was proposed within the bounds already established and whether that would preclude a childcare business from opening up if a pre-existing pot shop is already there. **Shumaker** explained that it would not prevent a childcare business from opening if it chose to operate next to the pot shop, and it would not prevent reissuance of a license for an existing pot shop if a childcare business opened next to it. **Shumaker** asked the Commission for direction. They could 1) Recommend to the

Council the issue not be taken up, 2) Recommend a change to the buffer, or 3) Defer entirely to City Council. The commission discussed their concerns which included the original considerations that lead to the current buffer zone, tailoring the buffer zone to accommodate a single business, as well as how it would be received on main street. **Shumaker** reminded the commission that even if they did not take a vote, this discussion helps to set the stage for future discussion.

**FORD** made a motion to reject the request to change the business buffers for marijuana business and maintain the existing buffer. **HOY-RHODEHAMEL** seconded; the motion carried unanimously.

- 5. Critical Areas Ordinance Update: Shumaker** provided a copy of an email from a community member and a packet that included both the regulatory recommendations from the Department of Ecology (DOE) for local jurisdictions and a draft of staff revisions to the Critical Areas Code as it relates to Wetlands. **Shumaker** reminded the commission that they had already covered aquifers and frequently flooded areas and were making progress on this process. **Shumaker** gave an overview of wetland-related projects since the 2008 regulations went into place and expressed that based on the few projects that have been impacted by the current requirements, it seems to be a major challenge for applicants. **Shumaker** referred to DOE to get input and it was the back and forth conversation with them that led **Shumaker** to use their model ordinance to rewrite the City's existing regulations. **Shumaker** has analyzed the model ordinance in comparison to the current codes to see what is more strict as opposed to more flexible (recognizing that the two are not mutually exclusive) and the model ordinance is more flexible. **Shumaker** took the Commission through the proposed changes and responded to the questions posed by the Commission and the concerns expressed by **Versari**.

**Shumaker** explained that the whole project will go out for public comment once each of the individual pieces has been completed and reviewed with the Planning Commission. **Versari** encouraged the Commission to be well-informed before they move forward with any votes. There are 5 sections to the Critical Areas Ordinance Plan and **ANDERSON** would like to see each of the 5 sections be independently and individually reviewed, though it would extend the time for reviewing before it goes to public comment. **Shumaker** explained that staff is looking to provide a balance between what is reasonable for our community and what environmental standards must be met and expressed that he does not want to be the sole person dictating decisions. **Shumaker** stated that if the direction is to be more flexible, the Commission could dive into just the areas of the ordinance that are considered stricter and this approach may provide a more targeted, less overwhelming process. **ANDERSON** would like to see a slider that shows "if you change these things" it will be more protective for the wetlands and "if you change these things" the code will be more flexible for the users. **HOY-RHODEHAMEL** agreed to sit down with **Shumaker** to help prioritize what needs to be discussed at the next meeting. **Shumaker** further clarified that DOE requested that the City update the language of the ordinance to match their language to eliminate any ambiguity. **ANDERSON** requested some guidance on what sections would have more wiggle room, what sections are completely up to the Commission, and what must appear exactly as DOE dictates for the next meeting. **May** expressed appreciation for the efforts **Shumaker/City** is going through to update this ordinance. In advance of the geohazard portion, **Shumaker** will create a survey for applicants and engineers to get some input from people who have direct experience with the current ordinance.

At 7:10pm, **Terese Stacy** arrived and was briefed on the Commission decision to reject the request to reduce the marijuana buffer. of reducing the buffer. **Shumaker** explained he will be taking that recommendation to the City Council and invited **Stacy** to attend the next meeting and speak at Public Comment. The Commission explained the reasoning behind their decision at **Stacy's** request. **Stacy**

further expressed concern that her end of town is neglected and felt that this change would impact other business owners who are trying to attract long term tenants. **Shumaker** mentioned that those concerns would be valuable for the City Council to hear. **Stacy** left.

Returning to the previous discussion, **ANDERSON** verified that the commission will circle back to address the ordinance update. Shumaker explained that putting any of the five aside right now does not end the conversation, it just moves them closer to the step of public approval. **ANDERSON** is interested in moving through each of the 5 in a more systematic way. **Shumaker** explained that the Planning Commission will put this to the Council for adoption, at which point the public will have the opportunity to comment before it goes to the state for approval.

#### **OLD BUSINESS:**

- 6. Shoreline Advisory Committee:** Shumaker identified 4 tasks: Complete the draft shoreline environment designation map, review the program components, discuss the master program review process, and get the Commission's approval for another recruitment round for greater representation on the committee.

**Shumaker** shared the full draft of the master program that is now ready for review, and took the Commission through each of the 6 sections that have been more clearly defined for easier referencing and gave a brief recap of what is covered in those sections. All Sections with the exception of one are complete. **Shumaker** is transferring responsibility to the Planning Commission and Advisory Committee to identify what needs more discussion now, what should be re-evaluated after public comment, before settling on a recommended draft to be submitted to City Council. **Shumaker** asked if that process makes sense and works for this group and received general consensus.

**Versari** questioned why the City would seek new members to join the advisory committee at this stage of the planning given low participation and the effort that has gone towards the program so far. He would rather see that the finished product reflects the concerns of the current advisory members before bringing in new members for the advisory group. **Shumaker** explained that greater participation, while difficult, would create a better product. The membership and participation on that committee has dwindled significantly since originally created. **Shumaker** expressed that having better representation of the community is prudent. Only two of the individuals on the advisory committee are still relatively involved. **HOY RHODEHAMEL** and **FORD** echoed **Versari's** concerns. **ANDERSON** questioned whether or not there was concern about the representation of the community with the diminished participation. **HOY RHODEHAMEL** would have liked to see the recruitment of others before now when a product is nearly finished. **ANDERSON** mentioned that the Planning commission has been heavily involved, bolstering the participation so the group agreed that no recruitment efforts are needed at this time.

**Shumaker** would like to be ready to identify issues at the next meeting and then dig into the sections needing revision from there. The Commission agreed that they could review the draft prior to the next meeting. The goal is to identify whether anything really needs to be worked through before this goes out to public comment because that is the next stage. **Versari** asked if his recommendations for revisions will be considered or incorporated into the document. **Shumaker** explained that all of it would be addressed in the responsiveness section. **Shumaker's** next task is to complete the Inventory and Characterization Report which will be included in the next draft. The other two documents needed are the Restoration Plan and the No-Net-Loss report. Staff must show where there is no net loss, where the likelihood for gains are, and the program plan document will round out the 4 required documents.

**Versari** shared with the Commission his comments on the program and provided a written copy for each attendee. **ANDERSON** asked that the Commission finish the three tasks **Shumaker** put before the Commission first and address **Versari's** comments as a caveat of that discussion. **Versari** just asked that the Commission consider the Skamania County policy/plan for replacement of homes following natural disasters so that the City plan is consistent. **ANDERSON** asked that the Commission read through **Versari's** comments prior to the next meeting. **ANDERSON** requested that this discussion be tabled and recommended **Versari** and **Shumaker** meet separately to get on the same page.

**Shumaker** shared the updated map with changes. **Shumaker** would like the Commission's input on the remaining areas needing to be designated around Rock Cove. The Commission agreed that Urban was appropriate for the area is near downtown Stevenson and near property that includes trailer park homes. The group discussed **Versari's** concerns over the zoning of the cemetery as residential. **Shumaker** clarified institutional use and cemetery regulations. **Shumaker** asked if the Commission wants to add a 5<sup>th</sup> type of zoning category. **VAN PELT** asked if there are any other properties that would be subject to a similar concern and need a special zoning category. **Shumaker** said he did not see need for concern.

**Versari** explained he would like to see residential zoning for only residential land use. **Shumaker** anticipates that the DOE will suggest the City limit the amount of areas zoned as urban and proposed the less dense Shoreline Residential for those areas as a result. **ANDERSON** expressed concern that the name may be creating unnecessary concern. The Commission agreed to wait to hear from DOE on the matter if they see the need.

The Commission agreed that the area east of Rock Creek near the fairgrounds should be Urban because of the development that is already there. The area surrounding the main bridge over Rock Creek should also be Urban because of the possibility that the bridge would be replaced. Moving on towards the opposite bank of Rock Creek (near food bank, fairgrounds, sewage plant), the Commission agreed that urban was appropriate for that area and the whole fairground site. Following further discussion, the Commission also unanimously agreed that the County owned land in the peninsula at the old mill site, and the property where the assisted living facility and Interpretive Center reside should all be zoned as urban. **Shumaker** reminded the Commission of what would be allowed in which the different designations as they considered the residential area across from Rock Creek Drive at Atwell Road. **Shumaker** explained that as urban zoning is more easily developed, it makes sense that developable property be considered for urban zoning- noting that when property is zoned as urban no single-family homes may be developed there. **FORD** recommended that the more flexibility there is, the better and that the nonconforming use provisions would apply to the existing residences in that area. The group agreed on an urban designation for the residential area across from Rock Creek Drive.

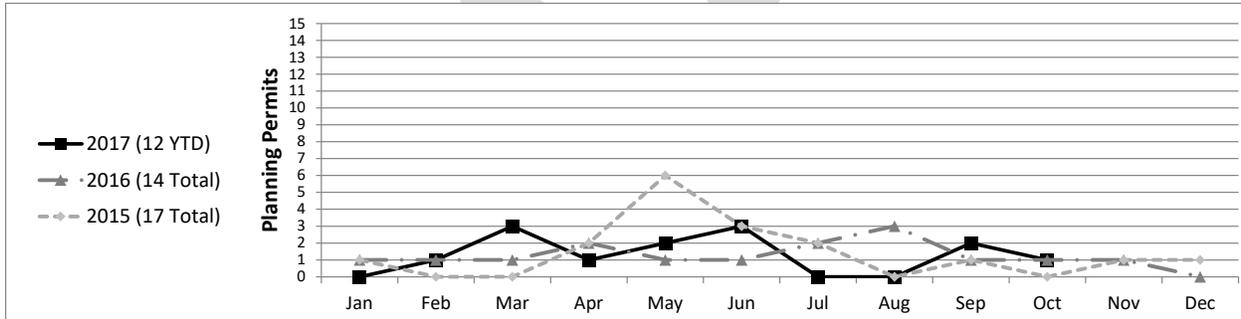
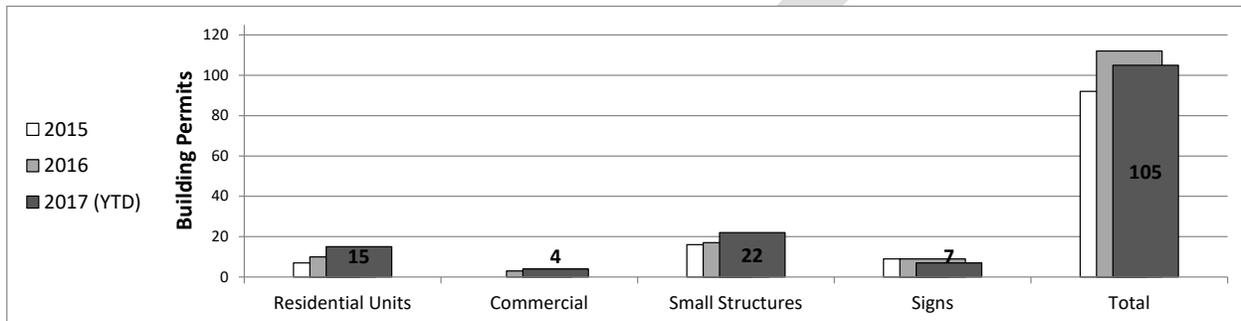
7. **Staff and Commission Reports:** The City is advertising for a new Planning Commission member as this is the last meeting for current chair **ANDERSON** before he assumes the responsibilities of mayor. At the next meeting, the Commission will need to vote for a new chair and vice chair. **Shumaker** shared that Candace will retire in June and Carla will retire in January 2019. **FORD** let the Commission know that he will retire from the Planning Commission in June 2018 which will require another notice. **FORD thanked ANDERSON** for his service as chair. **Shumaker** mentioned that the Smart Cities program may become a priority for the new mayor, and could lead to some discussion at future Planning Commission meetings.
8. **Thought of the Month:** None.
9. **Development Permit Update:** see below.

Meeting adjourned at 8:28 pm.

Approved \_\_\_\_\_; Approved with revisions \_\_\_\_\_

Name \_\_\_\_\_ Date \_\_\_\_\_

Minutes by: Somer Meade



### Planning Commissioner Attendance

	2017											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
ANDERSON	X	+	+	+	+	+		+	X	+	+	+
Ashley	X	0	+	+	+	+		+	X	+	+	0
Ford	X	+	+	+	+	0		+	X	0	+	+
Hoy-Rhodehamel	X	+	+	+	0	+		+	X	+	+	+
Van Pelt	X	+	+	+	+	+		+	X	+	+	+

+ = present; 0 = excused absence, -- = unexcused absence, X = cancelled meeting