



**PLANNING COMMISSION MEETING
September 29, 2020 at 6:30 pm
Banks City Hall, Banks, OR
MEETING MINUTES**

Chair Bench called the meeting to order at 6:38 PM. The proceedings were recorded in digital format.

ROLL CALL

Present were: Jeremy Bench, Katherine Brown, Sam VanDyke, Chris Zechmann. Tammie Buck joined the meeting late due to technical difficulties.

Attending: Jolynn Becker, City Manager; Lauren Scott, City Planner

APPROVAL OF MINUTES

1. Approval of minutes from the June 30th, 2020 meeting.
Commissioner Brown moved to approve the Planning Commission minutes from June 30th, 2020 as presented. Chair Bench seconded the motion, which passed unanimously.

PUBLIC COMMENT – There was none.

PUBLIC HEARINGS – There were none.

WORK SESSION

2. Planning 101 – Land Use
 - a. 151.040 – Permitted land uses in residential zoning districts
 - b. 151.041 – Development standards
 - c. 151.042 – Community Facilities Zone CF
 - d. 151.043 – General Commercial Zone C
 - e. 151.044 – General Industrial Zone I
 - f. 151.045 – Historic Resource Overlay Zone H

City Planner Scott explained that Chair Bench originally requested tonight's work session so the Commission could become more familiar with the Code, especially since the Planning Commission was meeting even less often, given the water shortage and development moratorium. The Development Code would be undergoing significant changes with the new, updated Development Code expected to be adopted in January 2021. While Staff kept a running list of issues or problems implementing the Development Code, they might not catch every issue, so the Commissioners were asked to discuss any questions or issues they found with the Code section in the packet.

Chair Bench asked how strictly residential setbacks were enforced. He had observed many small structures closer than 5 ft to a fence, adding the definition of small structures might also need clarified. City Planner Scott replied those structures might have been installed prior to this specific version of the Development Code, which made them legal, non-conforming structures. Any setbacks that went through Staff were enforced or the setback had to go through a variance process. Code enforcement was mostly complaint driven, so unless there was a complaint, the City would not inspect every property to check for setback compliance.

Commissioner VanDyke asked if small structures included sheds like those that could be purchased from Costco or were they permanent structures. City Manager Becker clarified the 5-ft setback applied to any type of utility shed, piece of furniture, etc. and they must also be 5 ft from the side yard and backyard. Commissioner Brown noted the 5-ft setback was measured from the lot line.

Commissioner Zechmann asked why accessory structures were allowed to be placed right up to the lot line in Tillamook. City Manager Becker noted that amending the residential setbacks was one item being considered for the new Code update. Sometimes, the 5-ft setback from the lot line placed structures into the middle of a backyard, depending on the size of the yard. City Planner Scott added that the new Code was proposing a tiering system for the setback distance, allowing for a reduced setback depending on the size of the structure, which would also prohibit 35-ft structures from being put right on the property line, for example. Property owners would still need permission to erect the structure, but a variance would not be required.

City Planner Scott noted that under the permitted land uses for each district, not every single allowable use was listed. The Planning Commission was tasked with determining if a proposed use not listed in the Code sections was compatible and would be allowed. The Commission had the discretion to determine whether the use was compatible with the overall zone.

Chair Bench asked if any applications for mixed use or any other activity might be coming up in the city's downtown core area. City Manager Becker replied not at this time; however, mixed use was allowed in some of the new areas that were annexed into the city. Based on meetings with the community, the new Code would have a Main Street corridor with the ability to have mixed use, commercial, and residential. City Planner Scott clarified that the Main Street corridor would be its own downtown zone with some similarities to mixed use to allow for different uses.

Chair Bench noted that discussing what the Commissioners did not know would be one path forward. He suggested that discussing specific examples would be more helpful for understanding the Code. City Planner Scott agreed, adding that when more Commissioners were present, it would be helpful to overview the Planning Commission's roles in terms of an example project, which would help with training as well as digging further into the Code. Staff could include some relevant examples to explore at the next meeting.

Chair Bench explained his goal with the Code review was to jog the Commission's interests and memories on what the Commission needed help or further discussion on so everyone was clear about the Code when an applicant made requests before the Commission.

Commissioner Buck appreciated having the Code as a resource, adding it would have been helpful when she first started out on the Commission, rather than just having the Code spread over several meeting packets.

City Manager Becker suggested using the apartment complex on Banks Rd as a good example to review the process and criteria the Commission must consider and go through.

Chair Bench agreed that though it could be onerous, it would be time well spent. The ultimate goal was that the city was being provided with the resources it needs and not become a land of two bedroom/one bath apartments. He wanted the Planning Commission to consider any Code changes or additions needed to be made and present them to City Council, explaining that the Commission wanted be able to

foster diversity and to have a say in the beautification process on projects, rather than just determining whether the developer met the minimum standards for setbacks and parking requirements. He wanted the Commission to be able to tell developers what it wanted projects to look like.

Commissioner Brown understood the Commission would talk more extensively about the way zoning was set on each property, go through the list of permitted land uses based on the zoning districts, and discuss if the existing zoning should be retained or changed. Would the Commission have influence over how the new zones would be laid out on the Zoning Map? City Planner Scott clarified the Zoning Map would be updated with the Development Code since the residential districts would be streamlined into three densities with the addition of the separate downtown zoning district. The Zoning Map would be presented to the Commission, but it would look different. City Manager Becker explained the map had already been established, so based on the type of Code, the zones would be changed to high, medium, and low-density as they meet those standards. The current zones on the new areas would be mapped into the three new areas on the Zoning Map. Discussion on Item 3 regarding the Commission's meeting schedule would better clarify that process.

Chair Bench believed that when the updated Code and Zone Map were completed that would be a great time for the Planning Commission training. City Manager Becker clarified the new Code would be going before the Planning Commission and City Council in January and February of 2021.

3. Tentative Planning Commission Meeting Schedule

- a. Planning Commission Meeting – October 27, 2020
- b. Planning Commission Meeting – November 17, 2020. Work Session to go over the draft Code Amendment
- c. Planning Commission Meeting – November 24, 2020 (No Meeting)
- d. Planning Commission Meeting – December 15, 2020. Public Hearing for the new amended code
- e. Planning Commission Meeting – December 29, 2020 (No Meeting)

City Manager Becker reviewed the upcoming meeting schedule, noting the Planning Commission work session scheduled on November 17 to review the draft Code Amendment was being rescheduled to December. Afterward, the amended Code would then go back to the community for input, and the public hearing on the final draft would be at the Planning Commission in January and then before the City Council in February.

Key comments and Staff's responses to Commissioners' questions were as follows:

- The Commission would be able to see the new and improved zoning districts when reviewing the Code updates
 - The zoning that was established with the urban growth boundary (UGB) expansion had been set in stone. Each of the five different zones would be consolidated and mapped into one of the three appropriate residential zones, but the actual zoning that was established could not be changed.
 - There would be more zones than the three new residential zones, including industrial, commercial, and mixed use in the downtown.
- The Commission would discuss and make recommendations on suggested Code changes at the work session in December. No November meeting would be held. There were a lot of details involved with the new draft code, so the Commission would have a lot of reading.

Commissioner Brown said she wanted to see details about how the zones were being combined and to see whether it was something the Commission agreed on. She understood the zones were written in stone, but there was a bit of interpretation when things were combined. Would the Commission will be able to provide input on the consolidation of the residential zones?

City Manager Becker explained that the new amended code would include an explanation on the new residential zoning code combinations, as well as a mapping on how they would be consolidated.

City Planner Scott confirmed the Planning Commission and City Council would both be able to provide input and reach a consensus on the appropriate planning for Banks. However, specific spot zoning with regard to a particular parcel for instance, would not be discussed under this Code amendment, and Arbor Village would not be changed to a mixed use or Commercial residential zone. Such changes did not fall under the scope of the Development Code Grant, which focused more broadly on planning.

- Staff would do their best to match up the zones and would explain their reasoning. The Planning Commission and City Council would be able to discuss how the metric was applied and how the outcome worked.

Commissioner Brown explained her concern was more about how all the undeveloped acreage would be grouped in. She wanted to know about those details and whether the Planning Commission would have some input on that.

City Planner Scott believed East Banks and the Quail Valley Golf Course would all remain Community Facilities, as those areas were brought into the city in an annexation agreement and would require more than the subject Code change to either rezone them or institute some type of master planned unit development for that area.

City Manager Becker confirmed that next month the Commission would walk through a specific example of an application in order to understand what the city planner had to do as well as the roles and responsibilities of the Planning Commission.

- She clarified that Staff was still looking for two/three more people to fill vacancies on the Planning Commission. With Sam VanDyke now part of the Commission she confirmed two resident positions and another at-large position remained to be filled. Only one more person could have land outside of the city limits. This person could be a business owner with a business or property inside the city limits.

BUILDING PERMIT REVIEWS – INFORMATION ONLY – None

VERBAL STAFF REPORTS AND UPDATES

4. Planning Project Updates

City Planner Scott stated that the major update was the new Development Code, which had been discussed. The City had not received any applications that she was aware of.

City Manager Becker noted an island annexation application had been received. The island annexations were on the upcoming ballot for the 10 to 20 feet of the properties on the west side of Banks that were in Washington County, not the city. The annexation would incorporate those properties into the city limits and combine the properties into one tax slot.

OTHER BUSINESS

There was none.

ADJOURN: The Planning Commission meeting adjourned at 7:12 PM

Submitted by: _____

