



**SCAPPOOSE PLANNING COMMISSION**  
**Council Chambers at City Hall**  
**33568 East Columbia Avenue**

**THURSDAY, AUGUST 9, 2012 at 7:00 p.m.**

**CALL TO ORDER**

Chair Negelspach called the Scappoose Planning Commission meeting to order at 7:01 p.m.

**ROLL CALL**

The regular meeting of the Scappoose Planning Commission was held August 9, 2012 in the Council Chambers located at City Hall at 33568 East Columbia Avenue in Scappoose, Oregon with the following present:

**Planning Commission:**

Chris Negelspach	Chair
Ron Cairns	Vice Chair
Don Dackins	Commissioner
Anne Frenz	Commissioners
Bill Blank	Commissioner
Mike McGarry	Commissioner
Carmen Kulp	Commissioner

**Staff:**

Brian Varricchione	City Planner
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**Excused:** City Recorder Susan Reeves

In the audience is Planning Commissioner Barb Hayden.

**ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR**

Commissioner Blank moved and Commissioner Dackins seconded the motion to accept Chair and Vice Chair, as is; Chris Negelspach as Chair and Ron Cairns as Vice Chair. Motion passed (7-0). Chair Negelspach, aye; Vice Chair Cairns, aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Frenz, aye; Commissioner McGarry, aye and Commissioner Kulp, aye.

**APPROVAL OF MINUTES ~ June 14, 2012**

Chair Negelspach and Commissioner Dackins had some corrections to the minutes.

Vice Chair Cairns moved and Commissioner McGarry seconded the motion to approve the Planning Commission meeting minutes from June 14, 2012 as amended. Motion passed (7-0). Chair Negelspach, aye; Vice Chair Cairns, aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Frenz, aye; Commissioner McGarry, aye and Commissioner Kulp, aye.

## **CITIZEN INPUT**

None

## **NEW BUSINESS**

### **Docket # SDR1-12**

**JH Kelly has requested approval of an application for Site Development Review for a proposed 26,400 square foot aircraft hangar for Oregon Aero at the Scappoose Industrial Airpark. The site is located on Skyway Drive on property described as Columbia County Assessor Map # 3106-00-00300.**

Format: Limited Land Use Decision

*The comment period has closed. No additional public testimony will be accepted.*

Chair Negelspach explained the format for tonight's hearing will be Limited Land Use Decision. He explained the comment period has closed and no additional public testimony will be accepted. He read the Limited Land Use Decision statement. No Commissioner had any issues regarding the matter. There were no objections to the Commissioners hearing this matter. He explained the Planning Commission's decision can be appealed to the City Council.

City Planner Brian Varricchione explained this is a proposal for a 26,400 square foot aircraft hangar. The applicant is JH Kelly and the property owner is the Port of St. Helens, although the facility is intended for use by Oregon Aero. He explained just south of the site is the future taxiway that is called out for in the Port Master Plan so that did affect some of where the building will be located. So there are requirements that the building height be less than FAA standards. He explained they have proposed a building painted blue to match the existing buildings that are nearby and it will have a large hangar door on the north side that connects to the taxiway that ultimately goes out to the runway. He explained City staff did send out notice to property owners within 100 feet of not just the site, but the airport property and we didn't receive any responses. He explained City staff also sent notice to a variety of agencies and there are a couple of letters; one from the Oregon Department of Aviation and one from the Scappoose Fire Chief. He went over the findings and facts. He gave a brief overview of the recommended conditions of approval.

Vice Chair Cairns stated you have the height limit what about the exhaust pipes that come out and the fans and all that; is that above that or would that be below the standards.

City Planner Brian Varricchione replied they did not actually illustrate those so he would need to look at the city requirements. He explained typically the way the City looks at something we don't count those as height we just look at the roof line. However it is possible that the FAA may have a stricter interpretation of that.

Craig Allison, Port of St. Helens Operations Manager, explained he is the project manager for this building and they don't actually envision anything of that sort on the building. He gave a brief overview of why they are doing this project. He explained they have a company that is doing well, wants to expand, they own the property, it is already zoned and planned in the Master Plan for this activity. It fits perfectly within what they have envisioned for the airport. He gave an overview of the parking lot lighting and proposed affixing lights fixtures to the building instead of parking lot lights.

Chair Negelspach stated just so we can have this discussion on the record regarding site circulation; he knows there were some comments about hydrant location, he is assuming they will address those in an updated plan and then there is also a comment in the findings about circulation requirements and also regarding no comments regarding emergency vehicle access, which in his mind doesn't necessarily mean that's off the table. He asked Craig Allison how would a fire truck, in his opinion, provide service to this building if needed, he asked what is the intent.

Craig Allison replied there are two or three different options; clearly the access from Skyway Drive to the existing gate is very straightforward and that would allow them access to the existing buildings and right towards the western side of the proposed building. He stated but really the best gate to get into the airport is the northern gate side, it is the most straightforward access from Honeyman and West Lane Road.

Chair Negelspach stated so you don't intend to be able to circulate a fire truck through the site. Although there's a hydrant there that would presume that you would have a fire truck approach the building from Skyway. He is assuming that the fire truck would back straight out which in most cases you have to have a turnaround mechanism for a distance that far. He just wanted to express that concern. He also talk about the waste containers and presumably you would have a fairly large vehicle getting access to those as well and just how do you manage that coming in and then either circulating or backing up that whole distance back to Skyway unless perhaps you are coming in from the north.

Vice Chair Cairns replied they won't do a back up to get out.

Chair Negelspach explained he knows some cities would actually make you show on a plan how the circulation works, our City doesn't do that, but we would like it to be in the thought process. He explained he doesn't want it to be something that they have to deal with later and then have to redesign or have construction changes.

Craig Allison replied those are certainly things he can take back to the contractor and ask them to consider.

Chair Negelspach replied he would suggest him to flush that out with them for their benefit either though it is not required by our code.

Commissioner Blank is guessing that where the trash bin is located it is about 40 feet from the building.

Chair Negelspach talked about the storm system. He explained it sounds like there is some concern that the applicant doesn't want to have water ponding and they proposed a swale for treatment, which he thinks is great and then it will infiltrate in an area that looks a little small on the plan. His question is related to if there is a general concern about ponding and infiltration rates it seems like your consultants have chosen to have a factor safety of 2 on a system that is going to operate somewhat indefinitely so it doesn't seem as conservative as perhaps you might consider it be.

Craig Allison replied working on the project was our knowledge of all the information they had and the studies as well as the anecdotal information this perks extremely well. It's rock and nothing stands more than 5 minutes and they could virtually do nothing and it would be fine but they did want to design a swale to properly address storm water accumulations very quickly.

Commissioner Blank stated the equipment that is going to be constructing this will it be higher than the building.

Craig Allison replied it will be and part of this process will be for him to send a letter to the FAA.

Commissioner Blank asked when will this construction begin.

Craig Allison replied we are hoping that if all goes well we can break ground next month.

Chair Negelspach asked if there is any kind of LEED or low impact approach on this building.

Craig Allison replied not a lot.

City Planner Varricchione had nothing more to add.

Chair Negelspach closed the hearing for deliberation.

Vice Chair Cairns replied he does believe that the fire thing has been addressed. He doesn't think Chief Greisen would have looked at this and not noticed that.

Chair Negelspach replied he thinks, for him, the confusing thing is when there is a curb line shown on the plan that clearly precludes access from property to the north to this one but if that curb line is not going to be there than it opens up other circulation possibilities.

Commissioner Dackins explained he thinks this is good, he likes it.

Commissioner Dackins moved and Commissioner Kulp seconded the motion that the Scappoose Planning Commission approve Docket # SDR1-12: subject to the conditions of approval. Motion passed (7-0). Chair Negelspach, aye; Vice Chair Cairns, aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Frenz, aye; Commissioner McGarry, aye and Commissioner Kulp, aye.

## **Discussion on Potential Development Code Updates**

City Planner Brian Varricchione explained at the last meeting the Planning Commission discussed items to update for the Development Code. He would like to get the Planning Commissions feedback on several issues:

The first one is the Heritage tree regulations. He outlined them for the Planning Commission on a memo dated August 2, 2012. He explained the Historical Society recently requested some trees to be designated as Heritage Trees out by the Watts House and they requested that to City Manager Hanken. He and City Manager Hanken had a conversation because of the way the rules are written it says City Manager can make the designation based on the recommendation of the Urban Forestry Advisory Board. Well that group really hasn't been around for 10 years or something like that. He explained it is hard for him to wait for their recommendations since they don't exist. We need to update that rule and a couple of options he thought of is one the Planning Commission could assume that role in making a recommendation to the City Manager. Another would be staff could mail notice to people and give them the opportunity to comment on it in writing or third Planning Commission could just basically change the rules and strike the part about the advisory board and say the City Manager can make the decision. He explained we don't really see a lot of requests for this sort of thing.

Chair Negelspach brought up the example of someone asking to have their trees designated then selling their house and the new owner not wanting that.

City Planner Varricchione explained he thinks he would rather defer this discussion and get the Planning Commission a copy at a future meeting of the rules as they stand now.

Chair Negelspach replied we'll table this, that sounds reasonable. He stated it sounds like we need to expand this discussion just slightly to include more. He stated as long as we are updating it we might as well update it in its entirety and not just the approval process.

City Planner Varricchione explained the second one is food carts or food trucks. He explained they are all the rage in Portland right now. He explained we have had some interest in people wanting to set up food carts or food trucks. He explained currently the way we can approve them, there is the easy way and the hard way. He explained the easy way is we have a mechanism in the code for temporary commercial uses and we basically say okay you do can whatever the use is for 90 days within a one-year period. He explained if someone wants to do it for more than 90 days they need to come in and apply for site development review in a Planning Commission hearing. He stated the question is whether that is that too much of a jump to go from one extreme to the other. He explained the City Manager suggested basically allowing more than 90 days. He explained personally he kind of thinks at some point you really should have the Planning Commission sit in on this or a more robust approval period then the temporary permit because if it is there for a long time or if there is more than one cart then you have issues of sanitation, trash, bathroom facilities, parking, people coming and going, lighting, noise generation, etc. and while it may not be appropriate for all those details to be covered in the permit process because some of that gets deferred to the County Health Department you kind of at least want to know that the operators have thought about some of these things. So he hasn't looked too much at examples from other cities but if that is something the Planning Commission thinks would be appropriate he could bring in some examples to look at.

Commissioner Blank stated one concern he has heard from one City Councilor is that it adds competition to the existing businesses and is wondering if that is going to be a problem. He explained the other thing is it mentions in here is produce stands. He explained Senator Johnson and he discussed this some time ago. He stated we have a produce stand that pops up right by the Farmers Market and it makes it difficult for the farmers markets themselves to operate. He explained when Senator Johnson says that she thought they ought to talk about that and whether or not they have a certain distance away from existing markets so it doesn't hurt them. He explained they haven't done anything because they have conditional use permits, they are competition. He has noticed them drop off maybe 10% or something like that. He explained if you start encouraging more of these produce stands then you are only adding more complications. He would hope that the City looks at that perspective and what it can do in terms of affecting local people. That is his perspective.

Chair Negelspach asked City Planner Varricchione if there would be a different approval process for each one of those because one there is sanitization or health department issues and one there probably isn't. He asked would we make a distinction.

City Planner Varricchione replied certainly could. He doesn't know that he carried his thought process that far aside to saying this is something we should look at.

Commissioner Blank stated as far as the process it is really through the County right now, the Health Inspector.

Commissioner Kulp explained there was a person in St. Helens that started in a food cart to see if there was business for the hotdog product and then as the business grew he eventually had to get into a restaurant situation. She would be interested to see what the City Manager is thinking of land use so she has a feeling that he is thinking the same thing of having like a food court.

Vice Chair Cairns stated the food courts are ugly and he wouldn't want them. He said one here and one here are fine but a pod, no way would he want one of those here.

Commissioner Blank stated another thing you have to look at is in Portland they are allowing alcohol.

Chair Negelspach asked City Planner Varricchione just to recap this notion of the food carts and the produce so are you still suggestion that you'd be able to provide a staff level approval for a food cart for up to 90 days or a food stand for up to 90 days and then beyond that something would come to the Planning Commission.

City Planner Varricchione replied he guesses that is what he is trying to get a feel for as to what is the Planning Commission's comfort level.

Chair Negelspach asked what is the cost for these permits.

City Planner Varricchione replied the 90 day permit is \$100.00.

Commissioner McGarry stated he thinks we need to look at that carefully because it is

competition with local business, because it could be competition with the local parents club.

Commissioner Blank explained the advantage of a 90 day process allows a review process of sorts because you can see whether or not it's going to work and whether or not you want these people. He explained if you give them a year out you are stuck with them.

Chair Negelspach replied what if it's not just food.

City Planner Varricchione replied right now as it is currently written is a 90 day temporary commercial use.

Chair Negelspach explained he would think the City of Portland probably has a pretty good code on this and it might be good just to see what they have. He asked where do you draw the line.

City Planner Varricchione explained the City of Scappoose does require a letter from the property owner allowing the temporary use to be on their land. He see if he can find the Portland regulations and maybe some others cities and bring them back in front of the Planning Commission.

City Planner Varricchione explained the next item's Landscape buffering and screening. This is one that he actually did put some code language in front of the Planning Commission. He explained our existing code is on page 3 and 4 of his memo. He explained his basic question to the Planning Commission is do you think these regulations are valuable, do you think they are doing what they are supposed to be doing. He explained the code requires a buffer and screen where you have different uses next to each other. He explained he has had some complaints over the years from the abutting homeowners that the screening really didn't do what they wanted it to do. He explained it is kind of a balance, you have to have so many trees, so many shrubs and then if you are right next to it you have to have a hedge or a fence. He explained, are the trees really doing much, they might look nice but the spacing is pretty broad. He explained the other one is the width 10 feet and it seems to him you can have an effective landscape area probably less than 10 feet. He is not necessarily advocating that, he just wanted to raise the issue and see what the Planning Commission thinks.

Chair Negelspach replied he has never seen more required by any code pretty much in the entire state.

Commissioner Blank asked in Chair Negelspach's experience has there been any variety of hedges that are more effective than others that we could make as a standard in situations.

Commissioner Frenz commented that some neighbors are sensitive to noise.

Chair Negelspach explained the comment that he would have on the buffering or tree spacing just an example of it, the tree spacing that was required, the street tree spacing is different than what we are talking about here.

City Planner Varricchione replied it is probably similar, he doesn't know the exact number, but that does have a small, medium and large.

Chair Negelspach replied maybe its similar but the kind of most visual reference to that that he has is the new soccer field by the Middle School and there are trees spaced pretty frequently and that to him seems a little like overkill because the trees he thinks within maybe not even 10 years will be touching. He thinks it's almost beneficial to see what's there and not to hide it. So maybe the spacing could be more appropriate to the types of trees that we are asking for.

City Planner Varricchione replied he is not hearing a whole lot of discomfort with what we have beside maybe changing the tree spacing.

Chair Negelspach explained you want to strike a balance so when all the trees do become mature the property owner isn't inclined to go in and say "I'll just replace the trees don't worry" because then he's going to go cut them all down. He also commented that the buffering and screening near loading docks should be substantial and sight-obscuring, especially because they are active at night.

City Planner Varricchione explained the last ones are definitions and they are pretty straightforward. These are for accessory dwelling units; those are like mother-in-law cottages or granny flats, basically a little extra living space that you can have either within your house or maybe over your garage. There was a chapter adopted 10 years ago that said they could have a kitchen, but then we have an older definition that says they don't have a kitchen. So that just needs to be resolved. We would say that we recommend the definition be updated to match the more updated chapter saying they could have a kitchen.

City Planner Varricchione explained the next one day care homes, something required by State law regarding the number of children, you can have up to 16 children in a day care home and the City rule is no more that 12 children. The reason is State law used to be 12 and the State law changed to 16 and we need to update ours to match.

Commissioner Blank asked if there is a square footage rule.

City Planner Varricchione replied not in the City code.

## **COMMUNICATIONS**

### **Calendar Check**

City Planner Brian Varricchione explained the next scheduled meeting is in two weeks but there is nothing for the agenda.

### **Commission Comments**

Commissioner Dackins brought up the event that will be happening at the airport ~ Wings & Wheels.

Commissioner Blank reminded everyone of the Farmer's Market. Also there is the Heritage Annual Car & Truck Show. He explained the banners are all up throughout Scappoose.



Commissioner Blank gave an update of the kitchen table discussion that was held regarding the coal. He explained in Portland in St. Johns this Saturday they will be meeting on August 13, 2012 between 12:00 p.m. and 3:00 p.m.

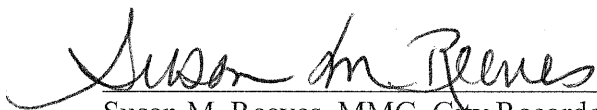
### **Staff Comments**

City Planner Varricchione explained the Urban Growth Boundary amendment has been appealed so now it will go to Land Conservation and Development Commission in September.

City Planner Varricchione explained the process to update the Transportation System Plan is ongoing. They had another meeting with ODOT recently and that will probably kick off in a couple of months. The City is establishing an Advisory Committee and there is a position for a Planning Commissioner, as well as open positions please email or call Susan and she can put you down as a possible volunteer or if you know anyone in the community that might be good on such a committee maybe you could urge them to volunteer also.

### **ADJOURNMENT**

Chair Negelspach adjourned the meeting at 9:07 p.m.

  
Susan M. Reeves, MMC, City Recorder

  
Chair Chris Negelspach