



REGULAR PLANNING COMMISSION MEETING MINUTES

Monday, November 23, 2020 - 6:30 p.m.

ZOOM MEETING

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER

Pro-tem Chair Roger Cooper called the Planning Commission Meeting to order at 6:50 p.m. Present were Commissioners Nathan Findling, James Buker, Judith Parker, Roy Hamilton and Roger Cooper. Assistant City Manager Lori Longfellow, City Engineer/Public Works Director/Project Manager/City Planner Pro Tem Blake Lettenmaier ("Lettenmaier") and City Administrative Assistant 2 Laura Schmidt were also present. Citizen present was Gary Owen.

III. PUBLIC HEARING: Nothing Scheduled

IV. CONSENT CALENDAR:

A. Approval of Minutes -

1. Meeting Minutes - October 26, 2020

Commissioner Findling made a **MOTION** to approve the 10/26/2020 meeting minutes. Commissioner Buker seconded. **AYES: Cooper, Findling, Parker, Hamilton and Buker; NAYS: None. Motion PASSED 5-0.**

V. PUBLIC COMMENT: NONE

VI. PRESENTATIONS: NONE

VII. CORRESPONDENCE: NONE

VIII. OLD BUSINESS:

Commissioner Findling questioned the status of the previously approved minutes from the last meeting. Administrative Assistant Schmidt stated they were on her desk ready for signature but informed the Commission she would be out of the office for the week. Coordinating a time to sign upon return to the office was requested by Commissioner Findling.

IX. NEW BUSINESS:

A. Outright permitted use 21AB 01900 & Phase 3 Arborview Heights

Outright permitted use 21AB 01900 discussion:

Lettenmaier asked the Commission if they had reviewed the memorandum he had sent them regarding the topic listed under A. He explained that item A (Outright permitted use 21AB 01900) was a unique situation and he wanted to seek the opinion of each of the Commission members. He stated that the application sort of met the code but noted that not everything is defined in the code and sometimes the comprehensive plan needs to be considered as well. He went on to cite section 3(A) of community development pattern, which says, the city will protect existing residential neighborhoods from conflicting or inappropriate land uses. He requested the Commission's input on that statement. He also noted that the second part of that clause refers to non-residential land uses located adjacent to residential areas, which would be like commercial and downtown and whatnot. So, he expressed that the first sentence sort of applies if it stands by itself, but when read in its entirety, it could be talking more about adjacent uses next to residential areas and writing conditions of approval that minimize impacts. He stated that he had been trying to dig deeper into the code after writing the memorandum. He stated he had a few questions to ask the applicant.

Lettenmaier began asking the Applicant a few questions. First, he asked what the principal use of the structure be, as measured by square footage. The Applicant responded it would be residential. Discussion was had regarding whether it would be full time or part time. Lettenmaier asked if it was part time would the storage also be temporary or part time in nature. The Applicant stated as directed he has been working to do what was needed in order to make this property buildable as it previously was not. The Applicant referenced a letter he received from Tillamook County and a sign-off from ODFW noting they had no issues.

stated they have met many times and had multiple conversations and he has tried to help out and give direction to make sure the code is followed. stated he had done everything he could to follow the code.

went on to state that one of the things they discussed and went through was the introductory provisions in Chapter 18.05, the zoning ordinance and they looked up definitions of a dwelling unit which means that it has rooms designed for occupancy by one family and have cooking and sanitary facilities. also noted that the definition of family means an individual or two

or more persons living together as one housekeeping unit using one kitchen. These two definitions are in the City code. also noted the requirement for a kitchen that shows a refrigerator, a kitchen sink and a stove but stated he did not see any of that on the Applicant's submitted plans and explained that if this application goes forward the final plans would need to include all of those items. also confirmed again that the residential portion of the building would be 400 square feet out of 2304 total square feet and that the Applicant was unsure whether or not the 400 square feet would be used for a full time residence as the primary use of the entire structure. The Applicant stated that if that is what it took that would be where he lived.

then addressed the Commission stating that without specific language in the residential section of the Garibaldi municipal code that speaks to the percentage of living area, other areas of the Garibaldi municipal code are looked to for inference. For instance, in the C-1 zone it states that residential uses may be used within the commercial zone, as long as no more than 50% of the ground floor space is used for housing. He asked for the Planning Commission's opinion on whether the property should be rezoned C-1 to allow such a proposed use.

He invited a discussion and stated he was seeking an opinion from each member in their suggestion.

Discussion was had and Applicant gave further explanation.

stated that the Applicant meets all the setback requirements and explained that was why he hadn't brought that up. He went on to state that this was an administrative decision that he could make but, because of its uniqueness, and that it hadn't been done before, he wanted to get Planning Commission opinion on a few items including whether C-1 Zone can be inferred and if the proposed structure would reflect conserving and stabilizing the value of property, and reflect orderly growth. He requested again the Planning Commission's opinions on making it C-1 or writing a condition limit maximum storage space in a residential home.

Additional discussion was had and ended with the agreeing to send by email the full application with all the documents to the Planning Commissioners so they could make an informed recommendation in writing in response to his email.

Phase 3 Arborview Heights discussion:

Discussion was had regarding connecting the 10-foot wide gravel road where it meets Phase 3 Arborview Heights. The applicant is asking if he can taper that down at the end and transition from 28 to 20 feet wide to better connect to that 10-foot wide road. explained that the 20-foot wide pavement road is completely acceptable and allowable within our code.

Discussion continued and it seemed as if this was a substantive change. thanked them for the discussion and noted that he would inform the Applicant that they would need to keep it at 28 feet.

B. Deferment of December Planning Commission Meeting 2020 meeting

Discussion was had on whether or not the December meeting should be deferred. It was decided that the December meeting will be not be deferred and will be on the regularly scheduled day.

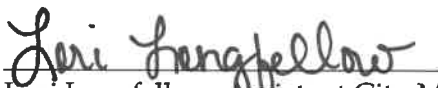
X. ADJOURNMENT

Pro-tem Chair Cooper adjourns the meeting at 8:20 p.m.



Roger Cooper
Pro-Tem Planning Commission Chair

ATTEST:



Lori Longfellow, Assistant City Manager