

CANBY CITY COUNCIL & PLANNING COMMISSION
WORK SESSION
August 4, 2021

PRESIDING: Council President Traci Hensley

COUNCIL PRESENT: Christopher Bangs, Sarah Spoon, and Shawn Varwig.

ABSENT: Mayor Brian Hodson, Councilor Greg Parker, and Councilor Jordan Tibbals.

PLANNING COMMISSIONERS PRESENT: Larry Boatright, John Savory, Jeff Mills, Jason Padden, and Michael Hutchinson.

PLANNING COMMISSIONERS ABSENT: James Hieb and Jennifer Trundy

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, City Recorder/HR Manager; Brianna Addotta, Associate Planner; Ryan Potter, Senior Planner; Don Hardy, Planning Director; and Jamie Stickel, Economic Development Director.

OTHERS PRESENT: Matt English, Canby Fire

CALL TO ORDER: Council President Hensley called the Work Session to order at 6:00 p.m.

PRESENTATION AND DISCUSSION RELATED TO AMENDING THE CANBY CITY CODE TO INCLUDE FOOD CARTS:

Jamie Stickel, Economic Development Director, gave a history of food carts in Canby. In 2013, the Planning Commission received a food cart presentation. At that time there was not a lot of traction to address food carts. Demand for food carts had increased since then. Currently the code allowed a food cart for six months, but that was a difficult business model. She explained what businesses were saying and how they all supported food carts. Food trucks had gone from “underground” to commonplace. They brought “new and different” to downtown districts and added new cuisines to established business offerings. A single food truck could become an attractor. Farmer’s markets had traditionally acted as incubators for small businesses. Food carts provided social engagement opportunities and entrepreneurship.

Brianna Addotta, Associate Planner, discussed the benefits of mobile food vendors including local business incubators, community vitality, expanded culinary options, and flexibility. The types of food cart developments were individual food cart vendors and food cart pods. Canby currently allowed temporary vendors for a 90 day maximum with a 90 day renewal option for a maximum of 180 days per year on any particular site. Safety considerations were access, circulation, parking, and vision clearance. Design considerations were equipment screening and standards of the zone. Temporary vendor permits were better suited to short term sales of prepackaged products. Considerations specific to food vendors were: food storage and refrigeration, cooking equipment and appliances, trash and recycling generation, seating options, lighting, weather protection, utilities, access, screening, security, and business model. What

worked elsewhere for individual food cart vendors were mobile vendor permits tailored to food carts on private property. Common regulations were cart maximum, longer durations, additional renewals, storage, seating, and utilities. What worked elsewhere for food cart pods were tenants, communal seating, beer gardens, security, utility plan, dedicated parking, and consolidated disposal. Regarding zoning districts where food carts should be allowed, the easiest would be to allow them in zones that allowed restaurants. Site accommodations should take into account perimeter, restrooms and hand washing, trash and recycling, utilities, parking, and surfacing. Site design should include entry, number and configuration of carts, landscaping, seating, and weather protection. She then showed pictures comparing existing developments and preferred concepts. These were locations in Hillsboro, Beaverton, Portland, Milwaukie, Happy Valley, and Oregon City. Based on the desired options, staff requested recommendations from the Council and Planning Commission for ordinance text regulating individual food carts and food cart pods.

Council President Hensley thought a hybrid situation like what was done in Milwaukie and Happy Valley could work in Canby. She asked about parking requirements.

Ms. Addotta thought a reduced parking ratio for downtown would be appropriate.

Councilor Bangs thought they should not only look at food carts in downtown, but also make them accessible to the Logging Road Trail and Industrial Park.

Commissioner Padden was under the impression that the last time this was discussed businesses were against it. Ms. Stickel said staff did not talk to businesses at that time. Staff saw that changes were coming and wanted Canby to be on the forefront of those changes. It was viewed as being an incubator for businesses downtown.

Commissioner Padden asked about the impact of grease and fats going through the Wastewater Treatment Plant system. Would there be regulations for that? Ms. Stickel had talked to Wastewater staff to let them know about this possibility and about what was needed. If this was to move forward, they would provide more input.

Commissioner Padden wanted to make sure the rules were equitable and food carts did not have an advantage over brick and mortar restaurants. He thought there should be some contribution to the street maintenance program. There should be a parking requirement for the carts, landscaping should be flexible, there should be mixed outdoor table sizes, and cover provided for pods. He was in favor of food carts, which could be incubators for businesses to then go to a micro-kitchen and then brick and mortar restaurants. It would entice businesses to stay in the City to expand and would help keep the City vibrant.

Council President Hensley thought the mixed table sizes and flexible landscapes were great ideas. She was still unsure about the parking.

Councilor Bangs asked who would be responsible for the garbage, utilities, cleaning restrooms and tables, stocking napkins, etc. Ms. Addotta said the City would only be responsible for providing the licensing for the food carts, not any of the other responsibilities. Part of the application would show what the operations looked like.

Councilor Bangs thought it would be difficult to add parking downtown, but not for other areas in the City. There should be flexibility for the parking.

Councilor Varwig was in favor of moving forward with food cart regulations. He wanted to make sure the regulations were not too strict so that businesses would not want to come to Canby.

Councilor Spoon was also in favor of food carts and not over-regulating them. Regarding rules for grease and fats, they should not regulate food carts any more than what was done for restaurants. She stated there should be a bathroom structure or enclosed higher end porta-potty. She thought there should be a reduced parking requirement for downtown. She felt there should be a signage requirement and she liked the idea of an entry. She also thought there should be landscaping requirements, but they should be flexible. The surface and utilities should also be flexible. She did not think they should regulate table size and there should be design standards for the cover. Land owners should have the right to decide whether one food cart or a pod went in on their properties.

Chair Savory was opposed to food carts in the past as the regulations were not as well thought out as they were presented today. He asked if they would permit alcohol. Ms. Addotta said the carts would have to get a liquor license like any other restaurant. It was not something the City could control.

Chair Savory was concerned about cleanliness, security, parking, garbage, and alcohol.

Council President Hensley suggested limiting the number of food carts that could offer alcohol.

Commissioner Mills was also in support of food carts overall. He would like more outreach to restaurant owners. Parking would have to be looked at on a case by case basis and there should be different standards for pods and individual food carts. He was also concerned about security, safety, and disability access especially for pods. He had reservations about using gravel and about fencing.

Commissioner Hutchinson agreed with limiting the number that offered alcohol as well as having a perimeter that could be monitored. There would need to be some organization that would take care of servicing the grease traps, roofs, bathrooms, etc. He was in favor of food carts and thought they could market commercial kitchens in town where food could be prepared.

Commissioner Boatright said if they were going to have food carts, they would have to be able to renew and not be canceled in six months. He did not think they should be over-regulated.

Councilor Spoon thought they should get codes from other cities to see how they regulated food carts.

Councilor Varwig said every food cart should have a business license that could be renewed.

Council President Hensley adjourned the Work Session at 7:23 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
August 4, 2021**

PRESIDING: Council President Traci Hensley

COUNCIL PRESENT: Christopher Bangs, Sarah Spoon, and Shawn Varwig.

ABSENT: Mayor Brian Hodson, Councilor Greg Parker, and Councilor Jordan Tibbals.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/ Assistant City Administrator; Melissa Bisset, City Recorder/ HR Manager.

OTHERS PRESENT: Matt English and Chief Jim Davis, Canby Fire

CALL TO ORDER: Council President Hensley called the Regular Meeting to order at 7:32.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:

Irene Breshears, Canby resident, announced the Canby Vietnam Era Memorial's tenth anniversary on August 6.

Joann Smith, Canby resident, said the splash pad at Maple Street Park ended the opportunity for tennis at the park. The original plan was to rebuild the tennis courts, but that had been changed to pickle ball courts. She suggested the tennis courts be taped for pickle ball courts as well so both could be played.

Councilor Bangs would work with the School District on reopening the tennis courts at the high school.

CONSENT AGENDA: ****Councilor Varwig moved to approve the June 16th Regular City Council meeting and the OLCC Liquor License application for Dede's Deli located at 1477 SE 1st Avenue, Suite 112. Motion was seconded by Councilor Spoon and passed 4-0.**

ORDINANCE: Ordinance 1559 – Scott Archer, City Administrator, said the plan was not to replace the tennis courts but put in a dedicated pickle ball court facility. The pickle ball court had different dimensions and was laid out differently than tennis courts. The tennis courts did not fit in this location. He appreciated the need for tennis courts and making them available at the high school was a good alternative. They would look at other options and it could be included in the Park Master Plan update.

****Councilor Bangs moved to adopt Ordinance 1559, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH R.L. REIMERS COMPANY FOR THE MAPLE STREET PARK PICKLEBALL COURT AND GAZEBO IMPROVEMENT PROJECT. Motion was seconded by Councilor Varwig and passed 4-0 by roll call vote.**

Councilor Varwig wanted to make sure the tennis courts were a high priority.

UNFINISHED BUSINESS: Findings, Conclusion and Final Order (CPA/ZC 21-01) – Joe Lindsay, City Attorney, said the Council denied this application at their last meeting and these were the final findings for that decision.

****Councilor Varwig moved to adopt the findings, conclusion, and final order denying CPA/ZC 21-01. Motion was seconded by Councilor Spoon and passed 3-0-1 with Councilor Bangs abstaining.**

MAYOR'S BUSINESS: None

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Bangs discussed his suggestion for student members on advisory committees to become voting members. It would require an ordinance to make that change. He asked if there was any opposition.

Council President Hensley thought they should wait until the full Council was present to decide.

Councilor Spoon said the Kiwanis Kiddie Caper Parade would be on August 17. There were two vacancies on the Transit Advisory Committee.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Archer reported that the new City website went live this week. The first public input meetings on the Park Master Plan occurred last week. There would be more opportunities for people to weigh in. There were no agenda items for the August 18 meeting.

****Councilor Bangs moved to cancel the August 18, 2021 meeting. Motion was seconded by Councilor Varwig and passed 4-0.**

CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Ordinance No. 1559.
3. Adopted Final Findings for CPA/ZC 21-01.
4. Cancelled the August 18, 2021 meeting.

Council President Hensley adjourned the meeting at 8:09 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood