

## **APPROVED MEETING MINUTES**

### **CANBY PLANNING COMMISSION**

6:00 PM – August 8, 2022

City Council Chambers – Virtual Meeting via Zoom

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**PRESENT** – Commissioners: Jason Padden, Chris Calkins, Dan Ewert, Michael Hutchinson, Judi Jarosh, Matt Ellison

**ABSENT** – None

**STAFF** – Don Hardy, Planning Director, Jamie Stickel, Economic Development Director, and Laney Fouse Lawrence, Recording Secretary

**OTHERS** – Carol Palmer, Lonna Bollinger

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#### **1. CALL TO ORDER**

Chair Padden called the meeting to order at 6:00 p.m.

#### **2. CONSENT ITEMS – None**

#### **3. CITIZEN INPUT ON NON-AGENDA ITEMS – None**

#### **4. NEW BUSINESS – None**

#### **5. PUBLIC HEARINGS**

- a. Heritage and Landmark Commission Text Amendment (TA 22-03)** – Jamie Stickel, Economic Development Director

A proposed text amendment to the Municipal Code will provide updates to Chapter 16.110, Historic Preservation in order to bring it into alignment with national and state standards and to reflect current practices.

Chair Padden opened the public hearing and read the hearing statement. He asked if any Commissioner had conflicts of interest or ex parte contacts to declare. There were none.

Jamie Stickel, Economic Development Director, introduced the historic code updates to the Commission presented in the staff report.

Commissioner Ewert asked who completed the reconnaissance survey in 2009 when the committee was disbanded in the year 2000. Commissioner Jarosh suggested the City may have hired a consultant to do the work. Ewert asked for further clarification and examples regarding items mentioned in the staff report.

Discussion regarding locally registered houses took place and how a change in ownership may affect future development of the property.

Commissioner Calkins had comments regarding 16.100.025 around the majority of members living or working in the UGB (Urban Growth Boundary). He stated his concerns about not having community-minded citizens or citizens who are interested in maintaining heritage within Canby. He mentioned he would prefer members to be as close to city limits as possible. Jarosh mentioned some of the most active members are outside of City limits and said it's hard to get and maintain members.

Commissioner Ellison asked if the HLC would conduct a semi-judicial decision-making process. Hardy stated the committee would have the same level of judicial authority over historically designated properties as the planning commission would over type three processes. Further discussion took place regarding the appeal process and what hearing bodies would need to participate.

Proponent: Carol Palmer, HLC committee member

Palmer gave answers and further clarification to previously asked questions from the Commission. She mentioned owner approval was not enacted by the state legislature until the year 2000. Interior remodeling is not as important as maintaining the historical significance of the outside of the building. She reiterated that the code change does not change the judicial responsibilities or actions of the HLC.

Opponents: None

Commissioner Ewert asked if the scope of work for the HLC extended to properties outside of the City. Jamie explained that the County provides resources to help aid in preserving historic entities within the City, for example the Clackamas County Fairgrounds. Director Hardy inserted that the fairgrounds property has been annexed into the City, so it is currently under the City's jurisdiction.

Chair Padden closed the public hearing and opened the meeting for discussion and deliberation. He then asked the Commission if language should be added into the code if the HLC becomes defunct. Further discussion took place regarding whether to insert the language or not, with all commissioners agreeing not to. The commission then discussed whether membership should be allowed to those who don't reside within City limits. Most of the commission agreed that expertise and active interest is what is most important. Commissioners Ewert and Calkins urged to leave the membership requirement as they are or make the UGB the boundary cut off for membership. Hardy mentioned inserting language such as within Clackamas County into the code.

Discussion advanced involving the work that the committee does and the living areas of the current members. Conversation surrounding the parameters for members to reside in Canby or within the UGB

continued. Stickel mentioned the code states that the majority of the HLC voting members shall reside or work inside Canby's UGB. After further deliberation the Commissioner came to an agreement that the majority was in favor of keeping the code as is and letting the amendment process take place.

**Motion:** A motion was made by Commissioner Jarosh and seconded by Commissioner Hutchinson to approve the Heritage and Landmark Commission Text Amendment (TA 22-03) with changes and exceptions noted in the Staff Report. Motion approved 4/2.

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Director Hardy alerted the Commission that the second hearing item that was planned would not be taking place at the meeting. Applicant preparedness and application completeness prior to creating the agenda was discussed. Chair Padden explained his frustration for the continuance process and how it impedes the progress of the Commission's work. Further discussion between the Commission and staff regarding the issue took place.

Commissioner Jarosh mentioned she found an error in the applicant's transportation report. She asked staff if the applicant could fix the error prior to attending the next meeting. Commissioner Ewert stated he believes the Commission should be the party requesting a continuance not the applicant. He also implied there should be a fee levied to get back onto the schedule if the applicant is not ready during the time of the intended meeting. He also suggested adding a continued hearing as a contingent hearing item for the next meeting if the applicant is truly prepared prior to their continued meeting date.

Calkins suggested making a motion to send a recommendation to Council to enforce a penalty on the applicant if they come unprepared to a set meeting. The topics surrounding penalizing the applicant and rescheduling a continued hearing item continued. Further conversation took place regarding the 120-day rule and how late an item can be added to the agenda prior to the meeting. Ellison asked if certain code items can be added to the agenda as an alternative hearing item in the event that an applicant cancels at the last minute.

Chair Padden entertained a motion regarding DR 22-06's applicant team requesting a continuance to a date certain, August 22<sup>nd</sup>, 2022.

**Motion:** A motion was made by Commissioner Ellison and seconded by Commissioner Calkins to approve the continuance request for DR 22-06, Therma Glass Warehouse to the next meeting on August 22, 2022. Motion approved 6/0.

## 6. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF

### a. Planning Director's Update

- b. The next Planning Commission meeting will be held on Monday, August 22, 2022, at 6:00 pm.

The next meeting will include the continuance of hearing item DR 22-06, Therma Glass, with the possibility of a work session involving parklets. This discussion will involve both public and private roads and parking lots. The September 12th meeting agenda will include the hearing item for the potential Amazon Warehouse. The Canby Center and the 4th Ave five-plex hearing items are anticipated to go into the September 26th meeting agenda. Chair Padden expressed frustration for the lack of communication between Council and the Commission regarding the potential parklet discussion. The housing and economic opportunity analysis work is moving forward, and Hardy briefly mentioned the Comprehensive Plan and Transportation System Plan (TSP) updates. The fencing topic will be coming back in the future. Padden suggested having the City Council sit in for a joint work session to discuss the matter.

## 7. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

Commissioner Ewert asked staff about a possible fencing code violation along Territorial within a new subdivision. He also asked for a status update on the Walnut Street industrial connector road. Hardy said there is an informational flyer planned to come out soon. Ewert also questioned the potential roundabout on Arnt Road, and the Barlow/Hwy 99E intersection updates. Hardy said the design standards are finished and Steve Williams from the County would be willing to discuss those later. Highway tolling was briefly mentioned at the end of the meeting and Hardy stated the TSP and Comp Plan will take all these factors into consideration.

## 8. ADJOURNMENT

**Motion:** A motion was made by Commissioner Hutchinson and seconded by Commissioner Calkins to adjourn the meeting. Motion approved 6/0.

**The meeting adjourned at 8:30 PM.**