

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
January 26, 2016

CALL TO ORDER:

President Pearson called the meeting to order at 6:46 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, and Frank Spence. Jan Mitchell arrived at 6:55 pm.

Staff Present: Community Development Director Kevin Cronin and Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

ELECTION OF OFFICERS:

In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the Astoria Planning Commission (APC) needs to elect officers for 2016. The 2015 officers were President Dave Pearson, Vice President McLaren Innes, and Secretary Sherri Williams.

Vice President Innes moved that the Planning Commission re-elect David Pearson as President for 2016, seconded by Commissioner Moore. Motion passed unanimously.

President Pearson moved that the Planning Commission elect Kent Easom as Vice President for 2016, seconded by Vice President Innes. Motion passed unanimously.

President Pearson moved that the Planning Commission re-elect Sherri Williams as Secretary for 2016, seconded by Vice President Innes. Motion passed unanimously.

APPROVAL OF MINUTES:

Vice President Easom noted the following corrections to the minutes of the November 24, 2015 meeting:

- Page 3, first paragraph – Commissioner ~~Easom~~ **Spence** understood a lot of water and electrical conduit was needed for marijuana growing.
- Page 4, seventh paragraph - Commissioner ~~Easom~~ **Spence** asked if the applicant intended to apply for an alcoholic beverage license.
- Page 4, ninth paragraph - Commissioner ~~Easom~~ **Spence** asked how the business would be advertised.
- Page 4, thirteenth paragraph - Commissioner ~~Easom~~ **Spence** asked if a lease had been submitted from the Port of Astoria.

Commissioner Innes moved that the Astoria Planning Commission approve the minutes of November 24, 2015, as corrected; seconded by Vice President Easom. Motion passed unanimously.

PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 5(a):

CU13-06 Extension Request for Conditional Use CU13-06 by William and Pamela Myers for one year to November 26, 2016 to locate and live in a motor home as a temporary use for up to one year while renovating the adjacent house at 218 Franklin. The motor home would be parked in the driveway within the 2nd Street right-of-way on the west side of the dwelling in the R-2, Medium Density Residential zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, he asked Staff to present the Staff report.

Planner Ferber reviewed the written Staff report, which included a letter from neighboring property owner, Janice Franklin. Staff recommended approval of the request.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Pam Myers, 218 Franklin, Astoria, said she and her husband are only in the motor home when they are working on the property, but they do not live in the motor home; much of the time, they are in Portland. They will come to Astoria for a day just to get the lawn mowed. They love the house and the neighbors seem very nice. However, she has issues with dog droppings and cat litter on the property. Garbage is being thrown on to the property, including tires, cat litter, garbage, bottles, and papers. She and her husband try to be nice and keep the property cleaned up. They take loads of trash to the city dump and to their home for disposal. She had removed five layers of wallpaper within the house. The property has a beautiful view. She and her husband have been visiting Astoria for 60 years and hoped the Commission would grant the extension so the house can be fixed up the way it deserves to be. She explained the difficulties she has had getting contractors to visit the property and staying in contact with contractors that have given quotes. The contractor that agreed to work on the house said he would jack hammer the front room and a bedroom in the duplex. The work was completed in two days, but he is unable to do more work since his mother passed away and the weather has been bad. Mudslides have prevented her from coming to Astoria recently, but she does the best she can. When she and her husband are on the property, they are not noisy. They pick up after their dog and talk to neighbors. She did research over the summer and learned things about the property that the realtor never disclosed. If she is unable to get the work going, her money will eventually run out from paying for so many estimates. Meanwhile, she and her husband are doing everything they can. They are both retired and are unable to do some of the work, but are committed to getting the house fixed up. They do not want to have to sell the house, so they are trying very hard.

President Pearson called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed public testimony and called for Commission discussion and deliberation.

Commissioner Mitchell arrived at 6:55 pm. She stated she would abstain from voting because she had not heard the presentation. However, she understood how difficult it was to get work done while living out of town.

Commissioner Moore asked if the Applicants had a project plan or budget.

Ms. Myer explained that she paid cash for the house and immediately spent \$4,000 or \$5,000 on hauling away debris. This left her with a budget of \$20,000 or \$30,000, which has been chipped away. Currently, her maximum budget is \$50,000, so she and her husband are trying to do much of the work themselves. The kitchen cabinets had to be removed in both units and new cabinets are on the premises. The purchase of the house was supposed to include many appliances, but the only appliance was a refrigerator in one of the units that needed to be replaced. They have paint, flooring, lighting, etc. to remodel the bathrooms and kitchens.

William Myer, 218 Franklin, Astoria, said the problem was they could not get contractors to do the work.

President Pearson noted that the correspondence from the LaMear's supported the request.

Commissioner Spence said he drove by the property earlier that day. He had no objections to the motor home on the property because it sits in a driveway on a dead end street. He understood the Applicants had been working on the interior of the home, but suggested cosmetic painting on the exterior since the neighbors all have such beautiful homes.

President Pearson reminded that the Planning Commission was only able to review the Conditional Use Permit.

Ms. Myer invited Commissioner Spence to speak with her or email her about his suggestions not related to this request.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Extension Request for Conditional Use CU13-06 by William and

Pamela Myers; seconded by Commissioner Innes. Motion passed 6 to 0 to 1, with Commissioner Mitchell abstaining.

President Pearson read the rules of appeal into the record.

Director Cronin confirmed the permit is valid for one year from the date the application was submitted.

REPORTS OF OFFICERS/COMMISSIONERS:

Director Cronin updated the Commission on the following projects:

- Heritage Square and Library – City Council recently held a work session and the discussion will continue at the Astoria Development Commission meeting on February 1, 2016.
- Department of State Lands (DSL) town hall meeting to discuss procedures regulating submerged lands and leases -- He did not believe the procedures would create additional burdens or devalue property, but would provide clarity and predictability when applying to lease submerged lands.
- Implementation of the Riverfront Vision Plan – The next section of the Riverfront Vision Plan will be discussed during the work session portion of this meeting.

Commissioner Mitchell noted the DSL procedures related to rivers, streams, lakes, and wetlands, most of which were located in the county.

ADJOURNMENT TO WORK SESSION:

There being no further business, the meeting was adjourned to convene the work session at 7:09 pm.

WORK SESSION: WORK PROGRAM PRIORITIZATION:

Director Cronin asked the Commission to direct Staff on the City's projects. City Council projects are top priority; however, as a quasi-judicial board and governing body, the Planning Commission can help Staff think strategically about all of the different projects the community wants. Feedback from the Commission will allow him to make long-term plans and prioritize appropriately. He updated the Astoria Planning Commission (APC) on current projects as follows:

- Affordable Housing – Draft code amendments to allow smaller lot sizes will be discussed with the APC at a work session in February. The public hearing with the APC will be in March and City Council will review the code amendments in April.
- Community Development Permit Processing – The administrative procedures in the zoning codes are outdated. In order to streamline the permitting process, the APC will review draft code amendments at the work session in February.
- Heritage Square – He would continue to provide updates to and receive feedback from the APC on the Heritage Square project, especially as the site planning exercise begins. Text amendments to the Development Code will be necessary to address Staff's list of housekeeping items.
- Economic Development Strategy – He would resubmit a grant application to the State. A mayor-appointed committee will include representatives from local businesses, the Chamber of Commerce, Clatsop Economic Development Resources (CEDR), and others. The APC will review the strategy and decide if Astoria has an ample supply of commercial or industrial land.

Commissioner Moore suggested Staff conduct a public awareness campaign about sidewalk maintenance. He described issues with sidewalk maintenance around town, noting that many property owners are unaware that they are responsible for the sidewalks in front of their properties. Director Cronin said this issue comes up a lot at the Meet the Mayor events. Staff does not have an easy solution, but code enforcement could be more aggressive. Commissioner Innes suggested Staff prepare a one-sided, brief, and easy to read document that describes which sidewalks should be maintained by property owners and offers recommendations for maintenance.

Director Cronin asked the Commission to suggest a neighborhood in Astoria that would be willing to host a pilot project. The Commissioners agreed the neighborhoods just outside of downtown would be best. They discussed ideas for a spring sidewalk clean up event and which streets would benefit the most.

Commissioner Mitchell suggested a project to revitalize Duane Street to make it more visually consistent with Commercial Street. Director Cronin explained that elements of the Heritage Square project include Duane Street and the library. A brewery is considering relocating to Duane Street. Staff is also trying to move forward on the Merwyn building, but decisions about the library need to be made first.

Commissioner Innes asked why Heritage Square did not include affordable housing. Director Cronin said he is addressing the affordable housing issue through text amendments to the zoning codes. The City also has funding tools that will help produce more affordable housing. He did not have any information about the upcoming Housing Authority meeting.

Commissioner Spence asked if Walker Macy was still under contract with the City. Director Cronin explained that the contract had expired at the discretion of City Council. Another contract will be necessary to do a comparable analysis of the existing library site and Heritage Square. The City could sign another contract with Walker Macy or with a new contractor.

Commissioner Mitchell believed the current Council expects Planning Commissioners to take a larger view of their roles and do more than just confirm Staff's position. Staff and the Commissioners discussed the proposed rezoning of Clatsop Community College (CCC) property and City Council's decision to overturn the APC's decision. Director Cronin explained the APC's rights and responsibilities when considering Staff's recommendations and encouraged Commissioners to be as critical and specific as they deemed necessary. Staff's job is to provide the best possible findings no matter what. Commissioner Mitchell believed she had misunderstood the proposed rezone and was glad City Council overturned the APC's decision.

Commissioner Moore noted he is not an expert and relies on Staff for recommendations. When reviewing the requests for the wireless communications facility, he did not consider the Code beyond what was shown to him. Yet, the City Council addressed every piece of Code. He asked Staff for feedback about how critical the APC should be when considering Staff's findings. Director Cronin encouraged Commissioners to be as specific as they want to be. Staff appreciates questions and comments from Commissioners prior to the hearings, but issues can always be raised during the hearings. Hearings can be continued if Staff needs time to revise findings for the Commission. He also offered to schedule work sessions to review portions of the Code and answer any Commissioner's questions.

Commissioner Fitzpatrick believed the Commissioners might have wanted to vote against CCC's rezone request, but did not know how because they were presented with findings that supported the request. He asked how the Commission should proceed in situations like that. Director Cronin explained how difficult it was for Staff to revise the findings when City Council overturned the APC's decision. City Council wanted to use livability criteria that does not exist in the zoning code and is not a development criterion. The college could have appealed City Council's decision to the Land Use Board of Appeals (LUBA). The zone change proposal was straightforward because of the property's history as a commercial use in a residential zone, Staff's quantitative analysis of Astoria's commercial and residential lands and the nature of the neighborhood. However, it was Council's concerns about vacation rentals that led them to overturn the Commission's decisions. Decisions should be based on criteria, not vacation rentals. Commissioners can tell Staff that they believe criteria have not been met and direct Staff to draft Findings of Fact that support the APC's position.

Vice President Easom believed the information presented to the APC about the wireless communication facility was incomplete. He was sorry that City Council overturned the APC's decision on that request instead of remanding the decision back to the Commission.

The Commissioners discussed how their decisions were affected by the lack of public comments about that request. The APC had received a letter from Ron Zilli, but no other public comments were made during the hearings. They discussed the public comments made and new information presented during the appeal.

ADJOURNMENT:

There being no further business, the work session was adjourned at 7:41 pm.

APPROVED:



Community Development Director