



PUBLIC MEETING NOTICE  
FOR THE  
WASHINGTON COUNTY PLANNING COMMISSION

CHARLES D. CAMERON PUBLIC SERVICES BUILDING (AUDITORIUM)  
155 N FIRST AVENUE, HILLSBORO, OR 97124

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WEDNESDAY, JULY 20, 2016

PUBLIC MEETING 6:30 PM

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Prior to scheduled public hearing items, the Planning Commission schedules time to receive briefings from county staff as work session items. These briefings provide the Planning Commission an opportunity to conduct informal communications with each other, review the agenda, and identify questions they may ask before taking action on the agenda items during the public meeting. No public testimony is taken on work session items.

Following work session briefings, the Planning Commission considers items published in their agenda, including scheduled public hearing items and consideration of minutes. The public is welcome to speak during the public hearing portions of the meeting. The public may also speak on any item not on the agenda during the Oral Communications section of the agenda.

Upon request, the county will endeavor to arrange provision of the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. If you need a sign language interpreter, assistive listening device, or a language interpreter, please call 503- 846-3519 (or 7-1-1 for Telecommunications Relay Service) by 5:00 p.m. on the Monday preceding the meeting date.

A handwritten signature in black ink, appearing to read "Andy Back", is written over a horizontal line.

**Andy Back**

Planning and Development Services Division Manager

# WASHINGTON COUNTY PLANNING COMMISSION

## CHARLES D. CAMERON PUBLIC SERVICES BUILDING AUDITORIUM

The Planning Commission welcomes your attendance at the Public Meeting. If you wish to speak on a public hearing agenda item or during Oral Communications, please feel free to do so. Time is generally limited to five minutes for individuals and 10 minutes for an authorized representative of a Citizen Participation Organization (CPO). The Chair may adjust the actual time limits. However, in fairness to others, we respectfully ask your cooperation on the following:

Please follow sign-in procedures located on the table by the entrance to the auditorium.

- When your name is announced, please be seated at the table in front and state your name and home or business address for the record.
- Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
- When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speakers' remarks will be helpful in this regard.
- If you plan to present written testimony at the hearing, please bring 15 copies for distribution to Commission members and staff.

### PUBLIC MEETING DATES

#### BOARD OF COMMISSIONERS WORK SESSIONS

8:30 a.m. 1st and 3rd Tuesdays

2:00 p.m. 4th Tuesday

#### BOARD OF COMMISSIONERS MEETINGS

10:00 a.m. 1st and 3rd Tuesdays

6:30 p.m. 4th Tuesday

#### PLANNING COMMISSION MEETINGS

1:30 p.m. 1st Wednesday

6:30 p.m. 3rd Wednesday

***Note: Occasionally it may be necessary to cancel or add a meeting date.***



**PUBLIC MEETINGS BEFORE THE PLANNING COMMISSION**  
**CHARLES D. CAMERON PUBLIC SERVICES BUILDING**

**WEDNESDAY JULY 20, 2016 6:30 PM**

**AGENDA**

**CHAIR:** A. RICHARD VIAL  
**VICE-CHAIR:** LILES GARCIA  
**COMMISSIONERS:** ED BARTHOLEMY, TEGAN ENLOE, MARY MANSEAU,  
ANTHONY MILLS, JEFF PETRILLO, ERIC URSTADT, MATT WELLNER

**PUBLIC MEETING (AUDITORIUM)**

- 1. CALL TO ORDER – 6:30 PM**
- 2. ROLL CALL**
- 3. DIRECTOR'S REPORT**
- 4. WORK SESSION**  
  
None
- 5. ORAL COMMUNICATIONS**
- 6. CONSIDERATION OF MINUTES**
  - a. June 15, 2016
- 7. PUBLIC HEARING**
  - a. **Ordinance No. 813 – An Ordinance Amending the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code Relating to Housekeeping Changes and General Updates**
- 8. ADJOURN**



## WASHINGTON COUNTY PLANNING COMMISSION MINUTES OF WEDNESDAY, JUNE 15, 2016

### ALL PUBLIC MEETINGS ARE RECORDED

#### 1. CALL TO ORDER: 6:31 P.M. Public Services Building Auditorium

The meeting was called to order by Chair Vial.

#### 2. ROLL CALL

Planning Commission (PC) members present: A. Richard Vial, Jeff Petrillo, Ed Bartholemy, Tegan Enloe, Liles Garcia, Mary Manseau, Anthony Mills, Eric Urstadt, and Matt Wellner.

Staff present: Andy Back, Theresa Cherniak, Stephen Shane, Steve Kelley, John Floyd, and Susan Aguilar, Long Range Planning (LRP); Jacquilyn Saito-Moore, County Counsel.

#### 3. DIRECTOR'S REPORT

Andy Back, Manager for the Planning and Development Services Division of Land Use and Transportation (LUT), provided the PC with updates:

- The Rural Tourism Study report has been distributed. The public can provide comments online until September 30, 2016.
- Staffing update - Erin Wardell is the new Transportation Principal Planner
- PC hearing dates are scheduled for the following ordinances:
  - July 6 – Ordinance No. 811 – Flood Plain Maps update.
  - July 20 – Ordinance No. 813 – Housekeeping
  - August 3 – Ordinance No. 814 – Transportation System Plan (TSP) and the Catlin Gabel Plan Amendment

#### 4. PUBLIC HEARING

**Chair Vial moved to switch the public hearing and the work session to accommodate members of the public in attendance. Hearing no objection from other commissioners, Chair Vial proceeded with Agenda Item 7 (Public Hearing) ahead of agenda item 4 (Work Session).**

##### a. Ordinance No. 810 – Marijuana regulation

Stephen Shane, Senior Planner from the Community Planning section of LRP, provided a PowerPoint presentation on Ordinance No. 810. Staff provided background on state law, existing county regulations, and future implementation of recreational marijuana applications, Oregon Liquor Control Commission (OLCC) requirements. Also discussed were issues and options, proposed ordinance amendments, and concerns of specific Washington County cities.

**Department of Land Use & Transportation · Planning and Development Services  
Long Range Planning**

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### Staff Recommendation

Staff recommended engrossment of Ordinance No. 810 to the Board of County Commissioners (Board) to include the following amendments:

- Add ordinance language that would prohibit any recreational marijuana business activity in the Future Development Districts (FD-10 and FD-20)
- Add the term “marijuana” to the existing ordinance language specific to farm stand activity

### Oral Testimony regarding Ordinance No. 810

- Stephen Holmes- 5557 SW Hewett Blvd, Portland – Had questions regarding annexing into the City of Hillsboro and asked that the county allow commercial recreational marijuana growing in FD-20 District. Mr. Holmes was referred to the City of Hillsboro for annexation issues.
- Ryan Wells, Community Development Director - City of Cornelius, 1300 S Kodiak Cir, Cornelius – Expressed concerns regarding the potential effects that the County’s allowance of marijuana production facilities within the FD Districts may have on existing land uses and the future annexation and redevelopment potential of properties adjacent to the City boundary.

### Testimony/Documents submitted regarding Ordinance No. 810

- Letter in support of staff recommendation received on May 12, 2016 from Pat Garrett, Washington County Sheriff – Washington County Sheriff’s Office, 215 S Adams Ave, Hillsboro, OR
- Letter received on May 24, 2016 from Debbie Raber, Senior Project Manager – City of Hillsboro Planning Department 150 E Main St, 4<sup>th</sup> Floor, Hillsboro, OR – regarding potential allowance of recreational marijuana production operations on FD-10 and FD-20.
- Letter in opposition received on May 26, 2016 from Mary Timmerman.
- Letter received on May 27, 2016 from Mark Clemons, Director of Economic Development – City of Hillsboro, 150 E Main St, 4<sup>th</sup> Floor, Hillsboro, OR – Addressing concerns regarding potential allowance of recreational marijuana production operations on FD-10 and FD-20.
- Letter received on June 2, 2016 from Jon Holan, Community Development Director – City of Forest Grove, 1924 Council St, Forest Grove, OR – Concerns regarding the allowance of recreational marijuana activities with FD Districts.
- Letter received on June 6, 2016 from Ryan Wells, Community Development Director – City of Cornelius, 1355 North Barlow St, Cornelius, OR – Concerns regarding the allowance of recreational marijuana activities within FD Districts.
- Letter received on June 8, 2016 from Colin Cooper, Planning Director – City of Hillsboro Planning Department, 150 E Main St, 4<sup>th</sup> Floor, Hillsboro, OR – Concerns regarding potential allowance of recreational marijuana activities on FD-10 and FD-20.
- Letters received on June 13 and 14, 2016 from Walt and Marilyn Wittke –19820 SW Gassner Rd, Beaverton OR– Letters addressed prohibition of all recreational marijuana use in Washington County.
- Letter received on June 15, 2016 from Stephen Holmes – 5557 SW Hewett Blvd, Portland – Addressed concerns regarding FD-20 zoning, and landowner right to build.

### Planning Commission discussion included

- The four plant personal limitation.
- Indoor and outdoor marijuana grow, lighting, and fencing requirements.
- OLCC requirements
- Having landowners sign a consent form that would require future annexation by the property owner.
- The prohibition of marijuana home occupation approvals in urban residential zones.

Commissioner Mills moved to recommend approval of Ordinance No. 810 to the Board of County Commissioners (Board), with the added term of marijuana to the existing ordinance language that addresses farm stand activity. No second was received. **Motion failed for lack of a second.**

Commissioner Garcia moved to recommend adoption of Ordinance No. 810 to the Board with the two amendments recommended by staff. Commissioner Mills seconded. **No vote was taken at this point in time. This motion was later withdrawn.**

Chair Vial proposed that each PC member provide up to three issues they would like addressed differently in the ordinance, to be addressed by staff at a future meeting. Six issues were ultimately identified by the PC:

- Commercial Recreational Marijuana in the Future Development Districts and Urban Reserves.
- Commercial Recreational Marijuana and Multiple Licenses on One Taxlot ('Condo Grow' Operations).
- Commercial Recreational Marijuana Activities and Home Occupations.
- Buffers for Commercial Recreational Marijuana Growing Operations.
- Odor Control and Air Filtration.
- Commercial Recreational Marijuana Activities and Neighborhood Meetings.

Commissioner Mills moved to continue the hearing on Ordinance No. 810 to the next meeting. Commissioner Wellner seconded. **Vote: 8-0-1 (Commissioner Enloe abstained). Motion passed.**

Commissioners	Vote
Bartholemey	Yes
Enloe	Abstained
Garcia	Yes
Manseau	Yes
Mills	Yes
Petrillo	Yes
Urstadt	Yes
Vial	Yes
Wellner	Yes

Next steps

- The PC continued the hearing for Ordinance No. 810 to July 6, 2016.
- A hearing is scheduled for July 19, 2016 with the Board.

**5. ORAL COMMUNICATIONS**

None

**6. CONSIDERATION OF MINUTES**

None

**7. WORK SESSION**

a. Proposed Ordinance No. 811 – Flood Plan Maps

Theresa Cherniak, Principal Planner and Stephen Shane, Senior Planner from the Community Planning section of LRP, gave a PowerPoint presentation on proposed Ordinance No. 811. Staff provided background, public outreach information, and proposed Community Development Code (CDC) amendments.

Staff recommendations

- Need for engrossment. County was informed of FEMA's (Federal Emergency Management Agency) required adoption language for Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) update after Ordinance No. 811 was filed on May 27, 2016.
- Minor formatting and clarifying language to existing ordinance language.

Next steps

- The first PC hearing is scheduled for July 7, 2016.
- The first Board hearing is scheduled for August 2, 2016.

b. Transportation System Plan (TSP) update

Steve Kelley, Senior Planner for the Transportation Planning section of LRP provided an overview and a handout regarding the proposed amendments in Ordinance No. 814. Staff indicated the ordinance is a minor update to the TSP and discussed changes under the following exhibits. Exhibit one, includes housekeeping changes to the Rural/Natural Resources Plan. Exhibit two, includes housekeeping changes to the Comprehensive Framework Plan for the Urban Area. Exhibit three, includes several changes to the TSP, and exhibit four include changes to several sections of the CDC.

Next steps

- Proposed Ordinance No. 814 will be filed by June 24, 2016
- A PC hearing is scheduled for August 3, 2016
- A Board hearing is scheduled for September 6, 2016

**8. ADJOURN: 9:36 P.M.**

There being no further business to come before the Planning Commission, the meeting was adjourned.

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A. Richard Vial  
Chairman, Washington County  
Planning Commission

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Andrew Singelakis  
Secretary, Washington County  
Planning Commission


Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016

Submitted by Long Range Planning



July 13, 2016

To: Washington County Planning Commission

From: Andy Back, Manager   
Planning and Development Services

Subject: **PROPOSED LAND USE ORDINANCE NO. 813 - An Ordinance Amending the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code Relating to Housekeeping Changes and General Updates**

### **STAFF REPORT**

**For the July 20, 2016 Planning Commission Hearing**  
*(The public hearing will begin no sooner than 6:30 pm)*

#### **I. STAFF RECOMMENDATION**

Conduct the public hearing; recommend adoption of Ordinance No. 813 to the Board of Commissioners (Board).

#### **II. OVERVIEW**

Ordinance No. 813 proposed housekeeping amendments and general updates to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code to make general revisions and corrections, updates, and ministerial changes for conformance with state law.

#### **III. BACKGROUND**

Each year, staff addresses limited changes to elements of the Washington County Comprehensive Plan (Plan) as part of a housekeeping and general update ordinance. The minor changes proposed in Ordinance No. 813 are intended to ensure consistency with state and local requirements, and improve efficiency and operation of the Plan elements identified above. The Board authorized this general update/housekeeping ordinance as part of the 2016 Long Range Planning Work Program.



***Ordinance Notification***

Ordinance No. 813 and an accompanying summary were mailed to citizen participation organizations (CPOs) and interested parties on June 20, 2016. A display advertisement regarding the proposed ordinance was published in *Hillsboro Argus* and *The Oregonian* newspapers on June 29 and July 1, 2016 respectively. Individual Notice 2016-04 describing proposed Ordinance No. 813 was mailed to approximately 312 people on the General Notification List on July 6, 2016. A copy of this notice was also mailed to the Planning Commission at that time.

**IV. ANALYSIS**

Ordinance No. 813 proposes a number of amendments to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code. The function of each proposed amendment is as indicated below.

Plan Element	Function of Proposed Amendment
<p><b>Rural/Natural Resource Plan</b></p>	<ul style="list-style-type: none"> <li>● <b>Policy 17, Agriculture and Forest Land:</b> Removes an incorrect reference to a 20-acre lot minimum within language regarding the AF-20 District. The change is necessary for consistency with the CDC and the state’s Goal 3 requirements for exclusive farm use (EFU) lands, which became effective on January 25, 1975. There is no 20-acre minimum specified by the Goal or within the current CDC. AF-20 land is EFU land as defined by Goal 3.1. The CDC, consistent with ORS 215.263, 215.284, 215.780 and OAR 660, division 33, as applied by Goal 3, generally does not allow property to be divided into parcels less than 80 acres.</li> <li>● <b>Policy 22, Public Facilities and Services:</b> Corrects a reference to an Oregon Revised Statute (ORS) number.</li> </ul>
<p><b>Comprehensive Framework Plan for the Urban Area</b></p>	<ul style="list-style-type: none"> <li>● <b>Summary Analysis of Constraints and Opportunities for Land Development:</b> Corrects the name of a referenced Community Plan.</li> <li>● <b>Policy 30, Schools:</b> Corrects a reference to an ORS number.</li> </ul>

<p><b>Community Development Code</b></p>	<ul style="list-style-type: none"><li>● <b>Section 107, Planning Participants:</b> Changes the word “tape” to “audio recording” consistent with current technology.</li><li>● <b>Section 201, Development Permit:</b> Changes a cross-referenced section number based on proposed changes in Section 610 that affect the referenced numbering.</li><li>● <b>Section 209, Appeals:</b> Changes the word “tape” to “audio recording” consistent with current technology.</li><li>● <b>Section 312, Office Commercial District:</b> Deletes a standard erroneously included within Section 312, numbered as 313-5.3, that pertains to a different land use district. Existing subsection 312-5.4, which includes related standards appropriate to the Office Commercial District, is renumbered accordingly, as are subsequent standards.</li><li>● <b>Section 430, Special Use Standards:</b> Text that currently states, “...dwelling unit on a lot or may be approved...” is corrected to read, “...dwelling unit on a lot or parcel may be approved...” consistent with terminology found throughout the CDC.</li><li>● <b>Section 431, Transit Oriented Design Principles, Standards, and Guidelines:</b> Removes a definition and standards pertaining to the Peterkort Station Area, which has transferred to the city of Beaverton via a series of annexations occurring 1997-2011.</li><li>● <b>Section 610, Land Divisions and Property Line Adjustments Outside A UGB:</b> Deletes a standard pertaining to Rural Planned Developments (RPDs) since allowances for new RPDs were struck by Ordinance No. 462 in 1995 and no prior RPD permits remain active.</li></ul>
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