



**WASHINGTON COUNTY PLANNING COMMISSION**  
**MINUTES OF WEDNESDAY, JULY 6, 2016**

**ALL PUBLIC MEETINGS ARE RECORDED**

**1. CALL TO ORDER: 1:32 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, Ed Bartholemy, Tegan Enloe, Liles Garcia, Mary Manseau, Anthony Mills, and Matt Wellner. PC members absent: Jeff Petrillo, and Eric Urstadt.

Staff present: Andy Back, Theresa Cherniak, Stephen Shane, 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 (PDS), provided the PC with updates:

- The PDS division has submitted a request for proposal (RFP) to hire a consultant for the Aloha Town Center and the Tualatin Valley (TV) Highway Transit project.
- Mike Dahlstrom has been hired as the new Communication Engagement Manager. He will oversee the continuum of the transition for the Citizen Participation Organization program. Mike Dahlstrom has worked as a Senior Planner for the Community Planning section of LRP for several years. He will start his new position July 22, 2016.
- There will be a PC hearing scheduled for July 20, 2016 for Proposed Ordinance No. 813 – Housekeeping.
- There will be a PC hearing scheduled for August 3, 2016 for Proposed Ordinance No. 814 – Transportation System Plan, and a hearing on the Catlin Gabel Plan Amendment, and an ordinance briefing on Proposed Ordinance No. 815 - Wineries

**4. WORK SESSION**

None

**5. ORAL COMMUNICATIONS**

None

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

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## 6. Consideration of Minutes

- June 1, 2016

Commissioner Mills moved to approve the minutes based on the revised draft; which includes Chair Vial's hand-written revision. Commissioner Garcia seconded. **Vote: 7-0 (both Commissioners Petrillo and Urstadt were absent). Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Yes
Garcia	Yes
Manseau	Yes
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

## 6. PUBLIC HEARING

### a. Ordinance No. 810

Theresa Cherniak, Principal Planner, and Stephen Shane, Senior Planner from the Community Planning section of LRP provided a PowerPoint presentation on Ordinance No. 810. Staff discussed amendments to the Community Development Code (CDC), and prior testimony submitted. Staff addressed concerns by the PC members from the June 15, 2016 public hearing and provided recommendation options.

#### Next step

- The first Board hearing is scheduled for July 19, 2016

#### Oral/Written Testimony regarding Ordinance No. 810

- Letter received on June 2, 2016 from Jon Holan, Community Development Director – City of Forest Grove, 1924 Council Street, Forest Grove, OR – Letter and oral testimony expressed concern regarding the allowance of commercial recreational marijuana facilities within the FD (Future Development) Districts adjacent to the city. Mr. Holan also discussed Urban Reserves adjacent to Forest Grove in response to PC questions.
- 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 – Letter and oral testimony expressed concern regarding the allowance of commercial recreational marijuana facilities within FD Districts. Mr. Cooper also discussed Urban Reserves adjacent to Hillsboro in response to PC questions.
- Barbara Glidewell – 4070 SW 109<sup>th</sup> Ave, Beaverton, OR – Provided oral testimony regarding awareness and neighborhood impacts from recreational marijuana establishments in urban residential areas.

PC Statements/Concerns / Recommendations

**Commissioner Enloe reaffirmed her statements from June 15, and said she would be recusing herself because of her employment with the City of Hillsboro, and was concerned about a perceived conflict of interest.**

Participating PC members discussed concerns from the June 15, 2016 meeting and voted on various options listed in the staff report, as follows:

***a. Whether to allow or prohibit commercial recreational marijuana activity in the County's Future Development Districts and in Urban Reserves.***

Commissioner Manseau moved to amend filed Ordinance No. 810 to include a prohibition of all commercial marijuana establishments in both FD Districts (FD-10 and FD-20) and to require a temporary use permit for a five year period with a one-year annual renewal after for commercial recreational marijuana activity in the Urban Reserve areas. Commissioner Wellner seconded.

**Vote: 4-2-1. Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	No
Manseau	Yes
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	No
Wellner	Yes

***b. Whether to limit the existing state allowance to have multiple marijuana production licenses on one tax lot ('condo grows').***

Commissioner Wellner moved to recommend Option C of the staff report restricting the number of marijuana businesses to one per tax lot for both indoor and outdoor production. Commissioner Manseau seconded. **Vote: 4-2-1. Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	No
Manseau	Yes
Mills	No
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

***c. Whether to allow commercial recreational marijuana activity under the County’s home occupation provisions.***

Commissioner Manseau moved to recommend Option C of the staff report to prohibit commercial marijuana activity as a home occupation in all land use districts in both urban and rural areas. No second was received. **Motion failed for lack of a second.**

Commissioner Wellner moved to recommend Option A of the staff report to not restrict existing potential to conduct commercial marijuana activity as a home occupation as filed and recommended by staff. Commissioner Mills seconded. **Vote: 4-2-1. Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	Yes
Manseau	No
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	No
Wellner	Yes

***d. Whether to apply increased setbacks between commercial recreational marijuana activities and adjacent uses and whether to require an air filtration unit for all indoor growing and processing activity.***

Commissioner Mills moved to recommend Option A of the staff report to rely on existing land use district setbacks and not require air filtration for indoor grows and processing as recommended by staff. Commissioner Garcia seconded. **Vote: 3-3-1. Motion failed.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	Yes
Manseau	No
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	No
Wellner	No

Commissioner Wellner moved to recommend Option B of the staff report to establish additional setbacks from the property line for commercial recreational marijuana production uses: 100 feet from the property line for outdoor grow operations and not require air filtration for all indoor growing and processing as recommended by staff. Commissioner Manseau seconded. **No vote was taken at this point in time.**

Commissioner Wellner amended motion to recommend Option B of the staff report to establish additional setbacks from the property line for commercial recreational marijuana production as follows: 50 feet for indoor grow operations and 100 feet for outdoor grow operations and processing in the rural area and not require air filtration for indoor grow and processing.

**Vote: 4-2-1. Motion passes.**

Commissioners	Vote
Bartholemy	No
Enloe	Recused
Garcia	Yes
Manseau	Yes
Mills	No
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

***e. Whether to require a neighborhood meeting for commercial recreational marijuana activities***

Commissioner Manseau moved to recommend Option A of the staff report to not require a neighborhood meeting for commercial recreational marijuana activities with an additional provision that staff will seek Board direction on whether to require posting of new recreational marijuana businesses inside the Urban Growth Boundary. Commissioner Wellner seconded.

**Vote: 6-0-1. Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	Yes
Manseau	Yes
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

**Final Vote**

Commissioner Manseau moved to recommend approval of Ordinance No. 810 to the Board to include minor text changes for clarity and to direct staff to develop language to address the proposed additional amendments voted on by the PC for Board consideration. Commissioner Mills seconded.

**Vote: 6-0-1. Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
Garcia	Yes
Manseau	Yes
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

**b. Ordinance No. 811**

Theresa Cherniak, Principal Planner, and Stephen Shane, Senior Planner from the Community Planning section of LRP provided a PowerPoint presentation on Ordinance No. 811. Staff provided ordinance background, information on proposed updates regarding county flood plain maps and amendments to the Community Development Code (CDC) in response to new Federal Emergency Management Agency (FEMA) requirements.

Oral Testimony regarding Ordinance No. 811

- Barbara Glidewell – 4070 SW 109<sup>th</sup> Ave, Beaverton, OR – Expressed concern and wanted to provide awareness to area landowners regarding an increase in flood insurance cost due to FEMA’s update of floodplain and maps.
- Larry Sullivan – 6089 NW Jackson School Rd, Hillsboro, OR – Requested ordinance clarification regarding non-dwelling structures, dwelling structures as it pertains to flood insurance.
- Bob Roblas – 11105 SW Hazelbrook Rd, Tualatin, OR – Expressed the need for more detail in maps in meeting schedule.
- Rick Jones – 2756 SW Golf Course Rd, OR – Wondered about the flood level for his parcel.

PC Discussion

- Questioned whether this was just a response to FEMA map changes or whether other staff initiated changes were made. Staff noted that there were some minor changes made to better align with FEMA requirements.
- Noted that some areas don’t show on the map (e.g., Bonny Slope West) and requested information on this. Staff noted that not all flood plain areas in the county have been updated as part of this mapping effort and will look further into mapping of the Bonny Slope West area.

Final Vote

Commissioner Wellner moved to recommend approval of Ordinance No. 811 to the Board to include proposed amendments as shown in Attachment A as well as engrossment proposed by Commissioner Manseau and those minor text amendments necessary to address the FEMA requirements. Commissioner Garcia seconded.

Commissioner Wellner moved to amend previous motion directing staff to investigate if Bonnie Slope- the portion of the county that was recently annexed from Multnomah County - is included in FEMA map. Commissioner Garcia seconded. **Vote: 7 – 0 (Commissioners Petrillo and Urstadt were absent).**  
**Motion passes.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Yes
Garcia	Yes
Manseau	Yes
Mills	Yes
Petrillo	Absent
Urstadt	Absent
Vial	Yes
Wellner	Yes

**10. ADJOURN: 3:55 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 18 day of August, 2016

Submitted by Long Range Planning staff