



## 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**

155 N First Avenue, Suite 350 MS 14 · Hillsboro, OR 97124-3072

Phone: 503-846-3519 · Fax: 503-846-4412

[www.co.washington.or.us](http://www.co.washington.or.us) · [lutplan@co.washington.or.us](mailto:lutplan@co.washington.or.us)

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 Enloe stated she would be recusing herself due to her employment with the City of Hillsboro, and was concerned about a perceived conflict of interest as the city was a testifying party.**

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 recused). Motion passed.**

Commissioners	Vote
Bartholemy	Yes
Enloe	Recused
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.



\_\_\_\_\_  
A. Richard Vial  
Chairman, Washington County  
Planning Commission



\_\_\_\_\_  
Andrew Singelakis  
Secretary, Washington County  
Planning Commission

Minutes approved this 18 day of August, 2016

Submitted by Long Range Planning