



**GLADSTONE PLANNING COMMISSION AGENDA
GLADSTONE CITY HALL, 525 PORTLAND AVENUE**

Tuesday, January 21, 2020

**6:30 P.M. CALL TO ORDER
ROLL CALL
FLAG SALUTE**

OATH OF OFFICE: New members Michael Milch and Darren Williams

ELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

1. Approval of November 19, 2019 Meeting Minutes (no meeting in December)

BUSINESS FROM THE PUBLIC - Visitors: This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

REGULAR AGENDA

2. Monthly Planning Report – December 2019
3. Discussion of House Bill 2001 and Senate Bill 1051 and how it will impact future efforts in Gladstone.
4. Discussion of Annual Work Plan for 2020 (March 24, 2020 is the target date for a joint work session with City Council to discuss the 2020 Planning Commission Work Plan).

BUSINESS FROM THE PUBLIC - Visitors: This is a second opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN

(Boards, Committees and Commission Training and Orientation for members is scheduled for Tuesday, January 28, 2020 at 6:00 pm)



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES of November 19, 2019

Meeting was called to order at approximately 6:30 P.M.

ROLL CALL:

Chair Randy Rowlette, Commissioner Andriel Langston, Commissioner Natalie Smith, Commissioner Malachi de AElfweald, Commissioner Les Poole, Commissioner Patrick Smith

ABSENT:

None

STAFF:

Tami Bannick, City Recorder; Joy Fields, Senior Planner; Tom Mersereau, City Councilor

CONSENT AGENDA:

1. Approval of October 15, 2019 Meeting Minutes

Commissioner de AElfweald made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Langston. Motion passed unanimously.

BUSINESS FROM THE PUBLIC:

None.

REGULAR AGENDA:

2. Monthly Planning Reports – October 2019:

Ms. Fields presented the planning reports. There were 4 customer contacts at the counter, 68 phone calls/emails, 10 building permits with land use review, no pre-application conferences, and 3 administrative decisions (2 land use compatibility statements and 1 sign permit). Chair Rowlette asked why it says “building permit” for 165 E. Exeter for the tri-plex that was already built – Ms. Fields said they do that whenever they do a review. Commissioner Patrick Smith asked, in regard to new single-family residence in terms of building permits, if ADU’s require building permits – Ms. Fields said they do.

Commissioner de AElfweald made a motion to accept the October 2019 planning report. Motion was seconded by Commissioner Natalie Smith. Motion passed unanimously.

3. Public Hearing: File Z0425-19-D – Construction of a new 2,124 sq. ft. building on a vacant lot adjacent to an existing residence located at 420 W. Arlington. Property owners are utilizing space on the adjacent non-conforming residential lot for parking. 420 W. Arlington (Tax lots 2 2E 19DD #8200 & #8300) John Platz - applicant:

Chair Rowlette opened the public hearing and went over the procedures/rules for quasi-judicial land use hearings. He said that a decision may be made by the Commission at the close of the public hearing or the matter may be continued to a date/time certain. Any party may request a continuance of this hearing or may request the record remain open for seven days. If the matter is continued to a date certain this will be the only notice of that date received. He went over the criteria used in making a decision. The Commission’s decision will be final unless appealed to the City Council.

He went over the appeal process.

He asked if any members of the Commission wished to disclose any ex parte contacts, bias, or conflicts of interest – none did. He asked if members had visited this site. Commissioner Langston has visited the site. Commissioner Natalie Smith has visited the site. She said she renewed the insurance policy for the people who owned the estate last year. Commissioner de AElfweald has visited the site. He said they discussed one of the special conditions being out of date with staff before the meeting. Chair Rowlette has visited the site. Commissioner Poole has visited the site. Commissioner Patrick Smith has visited the site. He had a conversation with Commissioner de AElfweald regarding the length of the approval.

Chair Rowlette asked if any member of the public wished to challenge the jurisdiction of the Planning Commission to hear this matter. None did.

Chair Rowlette asked if any member of the public wished to challenge any Planning Commission member's ability to participate in this matter. None did.

Ms. Fields presented the staff report. She said the site is currently a vacant lot. It is zoned C-2, community commercial district. It is 0.12 acres in size and is currently used as a garden and landscaping. The property to the east is an existing non-conforming residential property (420 W. Arlington). There are no flood plain permits required but there is a 0.02% chance of being flooded on an annual basis. Notice was sent out – the only comments were received from Public Works and were incorporated into the special conditions that are in the staff report. Commissioner de AElfweald reiterated that they would like to receive a “no comment” from all the Department Heads so they verify that they have seen the applications. The plan from the applicant shows the installation of approximately 771 sq. ft. of landscaping, which equals 15% of the total 5,000 sq. ft. site. The proposed building has an assortment of building materials and design features, including the windows and height requirements that meet the Gladstone Municipal Code (GMC). The C-2 zoning does not have any setbacks from the side property boundary so the building is right on the property line. It does have setbacks for parking from adjacent properties. There is a trash enclosure at the rear of the building. There is a recorded shared parking agreement (deed restriction). The extra parking spaces are within the required distance of the primary entrance of the site. The sidewalk and driveway will have to meet the Gladstone Public Works requirements and ADA accessibility requirements. Ms. Fields went over the proposed landscaping plan. The property owners are going to be monitoring the maintenance of the landscaping.

The special conditions of the staff recommendation include lighting so that it complies with the dark skies while also illuminating the pedestrian access for the building. It requires the shared parking agreement between the two adjacent lots. The driveway will have to have ADA approved curb ramps to allow a wheelchair or other ADA mode to access it. They did not include the dimensions of the signs or plans for the signs with their design review application so a separate sign permit will have to be reviewed by staff prior to installation of any signs. A final landscaping plan will need to be submitted to staff and the ADA access, sanitary sewer, water/storm drainage, erosion control, construction plans and pre-construction conference were all reviewed by Public Works and edited/updated to meet their concerns as well.

If any significant changes are made it will null the Commission's decision.

Based on the Gladstone Municipal Code and the materials that were submitted staff recommends that the Commission approves the design review application.

Commissioner de AElfweald said because of the way traffic is on Arlington we want to make sure that the exit road has good visibility for people pulling out. Commissioner Natalie Smith asked if

a traffic study was done – Ms. Fields said there was not. Commissioner Patrick Smith said that a parking space in front of the building, adjacent to the ingress/egress ramp could cause traffic/visibility issues on Arlington. There was discussion regarding ADA accessibility/entrances/doors/grades. Special condition #1 will be modified to reflect Ordinance 14.98, the two-year approval instead of one. There was discussion regarding the number of parking spaces.

APPLICANT TESTIMONY:

Mr. Platz addressed the parking/visibility and the entrances. They will update the parking agreement to make sure the language is accurate. The business collects/freezes/stores animal semen but most of the business is done off-site and there will be a very low volume of clients visiting the business.

PUBLIC TESTIMONY:

None.

DISCUSSION:

Ms. Fields said Public Works had not recommended a traffic study.

Commissioner Poole thanked Commissioner de AElfweald for bringing up the need for all Department Heads to sign off on applications.

Commissioner Poole made a motion to close the public hearing. Motion was seconded by Commissioner de AElfweald. Motion passed unanimously.

Commissioner de AElfweald asked Ms. Fields to clarify which changes they made to the special conditions so far. Ms. Fields said the parking sharing agreement shall be updated to reflect what is being proposed, including three spaces behind the existing non-conforming residence and two parking spaces on the street side. Special condition #1 will be modified to show Ordinance 14.98, the approval shall remain valid for two-years. The signs will stay the same. The ADA access will confirm with Public Works whether there is any additional impediments needed or if there is space to accommodate them and the plan will be updated to reflect the door. There is no off-street parking in front of the building but the site visibility, while it is not a road, should be confirmed to meet City of Gladstone requirements.

Commissioner Patrick Smith made a motion to approve application Z0425-19-D with the changes mentioned. Motion was seconded by Commissioner de AElfweald. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Natalie Smith – yes. Commissioner de AElfweald – yes. Commissioner Poole – yes. Commissioner Patrick Smith – yes. Chair Rowlette – yes. Motion passed unanimously.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE COMMISSION:

Commissioner Poole:

He said there is a vacancy on the Planning Commission and they will accept applications through December 3rd – City Council will make a decision in December.

Commissioner Patrick Smith:

He said they have a responsibility to ask questions and make sure they have done their part. He said they should tell applicants that they are not here to be grilled/skewered – they are here to make sure everyone is in agreement.

ADJOURN:

Meeting adjourned at approximately 7:20 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2020.

Chair



REGULAR AGENDA



City of Gladstone Monthly Report | December 2019

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	8	4	5	10	6	17	15	7	4	4	7	3	90
Customer phone/email contacts	48	42	35	45	52	73	68	56	62	68	46	30	625
Building Permits with Land Use Review	0	1	1	1	0	4	3	3	0	10	9	5	37
Pre-application conferences	3	1	0	1	0	0	0	0	0	0	1	0	6
Administrative Decisions	0	0	1	3	4	2	0	1	1	3	1	0	16

PLANNING COMMISSION ACTIONS/DECISIONS

- None

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- None

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- None

BUILDING PERMITS WITH LAND USE REVIEW

DECEMBER

Date	Address	Building Permit #	Description
12/05/2019	435 W Arlington	B0591719	Tenant Improvement
12/05/2019	200 W Jersey St	B0552819	New SFR
12/05/2019	190 W Jersey St	B0626419	New SFR
12/11/2019	540 Portland Ave	B0642719	Remodel
12/24/2019	250 W Hereford St	B0676319	New SFR

FUTURE ITEMS/PROPERTY UPDATES

Location	Topic
Webster Ave.	Proposed Zone Change and Property Line Adjustment. Public Hearing to be Scheduled once a complete application is received.



KEY ELEMENTS OF HOUSE BILL 2001 (Middle Housing)

Updated August 20, 2019

House Bill 2001 (HB 2001) provides \$3.5 million to DLCD for technical assistance to local governments to:

- 1) assist local governments with the development of regulations to allow duplexes and/or middle housing, as specified in the bill, and/or
- 2) assist local governments with the development of plans to improve water, sewer, storm drainage and transportation services in areas where duplexes and other middle housing types would not be feasible due to service constraints.

DLCD Required Rulemaking: Who is affected:	Middle Housing Requirements		Infrastructure Deficiency Process
	Medium Cities	Large Cities	Medium & Large Cities
Significant dates:	DLCD Rules and model code adoption December 31, 2020	DLCD Rules and model code adoption December 31, 2020	DLCD Rules adoption [no date specified in bill] Target: July 2020
Local Government Deadlines:	Local Government Adoption of model code or alternative June 30, 2021	Local Government Adoption of model code or alternative June 20, 2022	Medium Cities Extension Requests by December 31, 2020 Large Cities Extension Requests by June 30, 2021
Effect of missed deadline:	Model code applies directly	Model code applies directly	No extension granted

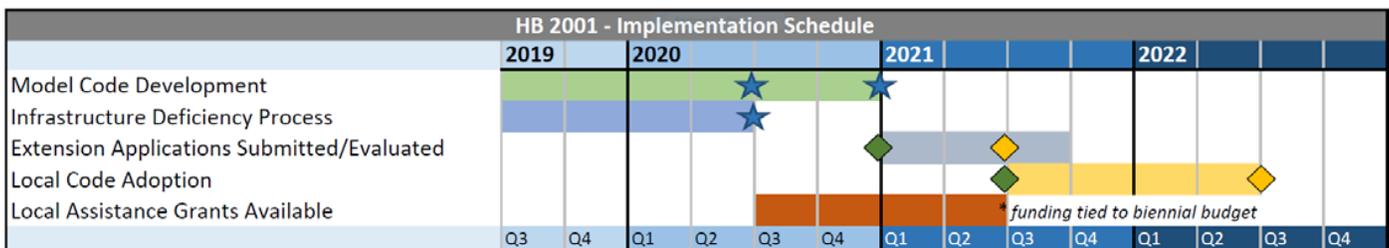
Medium Cities

All Oregon cities outside the Portland Metro boundary with a population between 10,000 and 25,000.	
Middle Housing Requirement	Duplexes “on each lot or parcel zoned for residential use that allows for the development of detached single family dwellings.”

Large Cities

All Oregon cities with a population of more than 25,000, unincorporated areas within the Portland Metro boundary that are served by sufficient urban services, and all cities within the Portland Metro boundary with a population of more than 1,000.	
Middle Housing Requirement	Duplexes (as above) AND triplexes, quadplexes, cottage clusters, and townhouses “in areas zoned for residential use that allow for the development of detached single family dwellings.”

Flexibility *Medium and Large Cities “may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable cost or delay.”*



◆ Medium Cities ◆ Large Cities ★ DLCD Action

For specific dates, please reference chart above or enrolled version of HB 2001

Other Provisions in HB 2001

- ✓ A local government may request an extension of time to adopt the required regulations based on an application identifying an infrastructure constraint (water, sewer, storm drainage, or transportation) to accommodating middle housing development, along with a plan of actions to remedy the deficiencies in those services.
- ✓ The applications for time extensions based on infrastructure deficiency will be reviewed by DLCD and approved or denied.
- ✓ Housing Needs Analyses may not assume more than a three percent increase in housing units produced as a result of the adoption of middle housing regulations unless the local government can show that higher increases have been achieved to date.
- ✓ The bill amends requirements relating to accessory dwelling units (ADUs). The bill states, “Reasonable local regulations relating to siting and design’ [for ADUs] does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.” However, such regulations may be applied if the ADU is used for vacation occupancy.
- ✓ Changes the annual housing production survey required by passage of HB 4006 in 2018. Adds requirement to report on ADUs and units of middle housing, both for market rate housing and for regulated affordable units.
- ✓ Directs the Building Codes Division to develop standards to facilitate conversions of single-family dwellings into no more than four residential dwelling units.
- ✓ Prohibits the establishment of new Covenants, Conditions & Restrictions or similar instruments that would prohibit middle housing or ADUs in a residential neighborhood.
- ✓ The bill also notes that the department shall prioritize technical assistance to cities or counties with limited planning staff, or that commit to implementation earlier than the date required by the act.

This fact sheet is intended to summarize key elements of HB 2001. It is not intended to replace a detailed review of the legislation. For specific bill language, please review the enrolled version of the HB 2001:
<https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2001>

“HB 2001 is focused on increasing the supply of ‘middle housing’ in Oregon cities – not by limiting construction of single family homes, but by allowing development of duplexes, triplexes, and quadplexes. Through technical assistance and resources for local governments, DLCD joins the effort to help create housing opportunities for all Oregonians.”

- Jim Rue, DLCD Director

For more information visit our website at www.oregon.gov/lcd

DLCD Staff Contacts: With questions about local implementation –
[Contact your Regional Representative](#)

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2019 Planning Commission Work Plan

- 1) Review Gladstone Municipal Code Title 17.80.100 to determine extending design review land use approval. Current code reads as follows:

17.80.100 Compliance.

(1) Approval of design review shall expire if construction has not begun within one (1) year of the date of the final decision. Upon request, the one (1) year period may be renewed once by the Planning Commission for not more than one (1) year.

- 2) Implement Elements of the Gladstone Revitalization Plan:

The City hired a consultant to provide deliverables from his *Immediate Strategies to Implement the Downtown Revitalization Plan* document (Attached). The Planning Commission can assist with items highlighted in yellow (beginning on page 10).

- Implement development code change recommendations
- Tour Metro area (with Mr. Southgate) to view other communities and explore public/private partnership opportunities for development in the downtown
- Examine a Vertical Housing Development Zone

- 3) Address Affordable Housing:

The City is partnering with Clackamas County's Planning Department and the State's Department of Land Conservation & Development (DLCD) to undertake an audit of the City's Development Code as it pertains to housing. DLCD is funding the effort, which entails retaining a planning consultant (Siegel Planning) to perform the audit, the ultimate goal of which is to increase "the supply and affordability of housing" in Gladstone. The Planning Commission will need to be involved with these recommendations. (Also in Mr. Southgate's report).

- 4) Land Use Training for Planning Commissioners.