



## PLANNING COMMISSION

Tuesday, April 11, 2023, at 6:00 PM

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### APPROVED MINUTES

- Members Present:** Chair Steve Toschi  
Vice Chair Dan Cary  
Commissioner Jennifer Pugsley  
Commissioner Russ Hubbard  
Commissioner Charles Castner  
Commissioner Ginny Carlson  
Commissioner Russ Low
- Members Absent:** None
- Staff Present:** City Planner Jacob Graichen  
Associate Planner Jenny Dimsho  
Community Development Admin Assistant Christina Sullivan  
Councilor Mark Gundersen
- Others:** Brady Preheim  
Tina Curry  
Toni Loveland  
Robert Loveland  
Holcombe Waller  
Erin Salisbury

#### CALL TO ORDER & FLAG SALUTE

**TOPICS FROM THE FLOOR** (Not on Public Hearing Agenda): Limited to five minutes per topic

**Preheim, Brady.** Preheim was called to speak. He said that he watched the Special Session for the Planning Commission and that he liked some of the things they discussed. He still shared that he did not agree with the choice of making Steve Toschi the Chair of the Commission. He also suggested the Chair resign. He also said he would like to see more people on the committee for House Bill 3115 who were informed on homelessness and could help with the code development.

#### CONSENT AGENDA

A. **Planning Commission Minutes Dated March 21, 2023**

**Motion:** Upon Commissioner Carlson's motion and Commissioner Low's second, the Planning Commission unanimously approved the Draft Minutes dated March 21, 2023. Vice Chair Cary abstained due to his absence from this meeting. [AYES: Commissioner Carlson, Commissioner Castner, Commissioner Hubbard, Commissioner Pugsley, Commissioner Low; NAYS: None]

B. **Planning Commission Special Retreat Minutes Dated March 22, 2023**

**Motion:** Upon Commissioner Low's motion and Commissioner Carlson's second, the Planning Commission unanimously approved the Planning Commission Special Retreat Minutes dated March 22,

2023. Vice Chair Cary abstained due to his absence from that meeting. [AYES: Commissioner Carlson, Commissioner Pugsley, Commissioner Hubbard, Commissioner Pugsley, Commissioner Low; NAYS: None]

**PUBLIC HEARING AGENDA** (times are earliest start time)

**C. 6:00 p.m. Annexation at 35046 Maple Street – May**

Chair Steve Toschi opened the Public Hearing at 6:10 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Jenny Dimsho introduced the proposal as presented in the staff report dated April 4, 2023.

She showed that the property was currently on McNulty Water. She said in April 2022, the property had a failed septic and applied for a consent to annex to connect to sewer. They have since connected to City Sewer and staff recommended approval despite the conveyance issues that the City had with their sewer system. She mentioned the City had a four-year plan to fix the conveyance issues and the property was already developed with a detached single-family dwelling. She mentioned that, if in the future, they decided to partition the property, the Commission could require a fee to connect another dwelling to the City sewer if it was necessary. Dimsho also said the property is encumbered by floodplain, making it more difficult to divide.

She said there were two options for zoning in this area to be considered for annexation. She said one was Moderate Residential (R7) and the other was Suburban Residential (R10). She said there was a subdivision zoned R7 to the north of the property.

Chair Toschi asked if any conditions could be added to keep the property owners from partitioning the property until the sewer system was corrected. Dimsho said this type of condition would be challenged. Commissioner Low said that if the property owner decided to subdivide or partition, by the time they were ready to develop and connect to the system, it would be corrected.

**In Favor**

No one spoke in favor of the application.

**Neutral**

No one spoke as neutral testimony.

**In Opposition**

No one spoke in opposition of the application.

**End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

**Close of Public Hearing & Record**

**Deliberations**

Vice Chair Cary mentioned there was a pattern of lower density zoning near the outside of the City and in the inner parts have a denser zoning. City Planner Jacob Graichen mentioned there were other properties that they had recommended the R10 zoning based on this same.. Commissioner Pugsley agreed with this theory for choosing the zoning recommendation of R10 as well.

**Motion:** Upon Commissioner Low's motion and Commissioner Carlson's second, the Planning Commission unanimously recommended approval to City Council for Annexation with the recommendation that the property be zoned R10. [AYES: Vice Chair Cary, Commissioner Pugsley,

Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

**D. 6:15 p.m. Annexation at 35082 Maple Street - Jenkins**

Chair Toschi opened the Public Hearing at 6:31 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho introduced the proposal as presented in the staff report dated April 4, 2023.

She mentioned this property was directly adjacent to the property they just looked at. She said this applicant also filed this annexation to connect to sewer. She said the lot currently has a detached single-family dwelling and there is a new single-family dwelling being built on the same property. She said the permit is through the County. The County told them they would have to be connected to City sewer instead of septic.

She shared that almost half of the property is covered encumbered by flood plain. She said this makes it very difficult for development or more structures to be added, which means that risk of additional connections to sewer would be minimal.

**In Favor**

No one spoke in favor of the application.

**Neutral**

No one spoke as neutral testimony.

**In Opposition**

No one spoke in opposition of the application.

**End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

**Close of Public Hearing & Record**

**Deliberations**

Since the recommendation for the adjacent property was R10 zoning, Dimsho said it makes sense for the Commission to recommend this property also be R10 zoning.

**Motion:** Upon Commissioner Carlson's motion and Commissioner Castner's second, the Planning Commission unanimously recommended approval to City Council for Annexation with the recommendation that the property be zoned R10. [AYES: Vice Chair Cary, Commissioner Pugsley, Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

**E. 6:30 p.m. Annexation at 58927 Firlok Park Street**

Chair Toschi opened the Public Hearing at 6:42 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho introduced the proposal as presented in the staff report dated April 4, 2023.

She shared this applicant wanted to annex into the City for connection to the sewer in the future and they also wanted to use our development rules.

She shared this property was small and there was already a detached single-family dwelling and two accessory structures on the property as well. It is currently served by a septic, but in the future, there will be a public sewer line that would be easily accessible to the property.

She mentioned this property was designated Unincorporated Multi-family Residential in the Comprehensive Plan and currently abuts Apartment Residential on both sides.. She said when annexed, the only option for zoning would be Apartment Residential.

She said the property would not likely be developed any further because of the home and structures already on the property. She also mentioned that even though it did not have flood plain considerations, it did have upland protection zone considerations.

**Loveland, Toni. Applicant.** Loveland was called to speak. She said that her and her brother had just recently purchased the home and they hoped to hook up to the City sewer system eventually, as the septic system on the site was failing. She also said they considered building a smaller home on the property with a bathroom as well, so there would be a total of two bathrooms on the property..

**Loveland, Robert. Applicant.** Loveland was called to speak. He said they had no plans to split it up or add more other than a small 800 square-foot dwelling unit.

### **In Favor**

No one spoke in favor of the application.

### **Neutral**

No one spoke as neutral testimony.

### **In Opposition**

No one spoke in opposition of the application.

### **End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

### **Close of Public Hearing & Record**

### **Deliberations**

There was a small discussion about what could be developed on the property with the Apartment Residential zoning.

**Motion:** Upon Commissioner Carlson's motion and Vice Chair Cary's second, the Planning Commission unanimously recommended approval of the Annexation to City Council. [AYES: Vice Chair Cary, Commissioner Pugsley, Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

### **DISCUSSION ITEMS**

#### **F. Architectural Review for 71 Cowlitz Street (The Klondike Tavern)**

Associate Planner Dimsho presented the staff report. She shared the applicant was looking to do some structural, exterior modifications. They want to create a 682 square-foot porch addition, and then have a basement addition under it for storage. They said this will also allow them to do some foundational work to the footings of the building to stop the building from settling.

She also mentioned they would add an ADA lift and plan to tuck it behind the existing vestibule to make it less visible from the main street. She also shared a few additions of new doors.

There was a small discussion about the stairs to be included and access to the outdoor patio. There was also a small discussion about the railing, and it being enclosed.

Commissioner Carlson asked if the outdoor exterior would follow the historic siding recommendations and guidelines. The applicant said yes, they did plan to stay consistent with the way the building looked now.

Commissioner Pugsley said she liked the applicants' use of the turned posts.

The applicant also shared that the goal was to create more seating and space for customers, while giving more access and ease of service to the patio space.

There was a discussion about how they would shade the patio and recommendations on what to use.

There was also a discussion on the funding and how the proposed work would be funded. The applicant mentioned they received a Main Street Revitalization Grant for this project. They have a time frame to get this project finished. With the grant money, the project has to meet all the state restoration guidelines as well.

The Planning Commission agreed this was a great addition to the building and property and liked the ideas proposed by the applicant.

**Motion:** Upon Commissioner Castner's motion and Commissioner's second, the Planning Commission unanimously recommended approval as recommended by Staff. [AYES: Vice Chair Cary, Commissioner Pugsley, Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

#### G. **HB 3115 Recommendations to Council**

Graichen presented the report that shared the different categories and the recommendations given by the Planning Commission Sub-committee and the recommendations from the staff and City Attorney. He highlighted the differences between the different recommendations.

He shared there was a variety of meetings to come to this consensus and now the Commission needs to recommend options to the City Council for legislation to be adopted.

The Commission went through each piece of the findings that were made in the report.

Chair Toschi shared his research on the area and the issues we have with homelessness. He talked about the different individuals that he interviewed to help the sub-committee come to the results they did for the proposal presented.

There was a discussion about the Finding and Purpose of this proposed law and the Commission agreed they should keep the words "dignity and respect" out of the description.

There was a discussion about the different places where camping, lying, and sleeping should not be allowed. There was also a discussion about the amount of feet or yardage that should be kept between a person camping and the areas they are not allowed to.

Commissioner Castner also mentioned that he felt it important to have some findings because the statute requires there be an objective and reasonable approach. The findings are what we are basing our ordinances on. We did not just pick these rules out of thin air.

There was a discussion on the police services to be rendered in these specific cases of camping and lying. Chair Toschi said the police needed to have a place to send these individuals to temporarily sleep, keep warm, and dry. Graichen asked if this was more of a performance measure or a finding? Chair Toschi said the police were already handling these situations this way, so he felt it needed to be in the ordinance, but that it did not matter where it was listed.

Chair Toschi shared the definitions of "established campsite." He also wanted to highlight the differences between the regular campsite and an "established campsite." There was also a discussion

on how long individuals can stay in one space and the appropriate documents and notifications to remove them humanely. Commissioner Carlson expressed concern about those individuals that may already have documents that show they are in the process of securing shelter and are working with the local Community Action Team. She did not feel it was humane to make them pack up and move if they were actively working on finding shelter. Chair Toschi said this would be up to law enforcement discretion.

Commissioner Castner also suggested that they consider a hybrid model. He said there should be a designation of where individuals can and cannot camp. He felt this took away the confusion of the ordinance and would make the law less objectionable. Vice Chair Cary said he agreed with some of these guidelines, but wanted to be sure that if locations were designated, they were places that a person experiencing homelessness would be able to easily access services. Chair Toschi advised that the City is not responsible for providing services to any of the individuals who are of sound mind and capable of taking care of themselves. Councilor Gundersen did mention that some of the places they were considering for places to camp are located near services that would benefit those experiencing homelessness.

There was a discussion about the time frame and when it is appropriate to ask those who are sleeping, lying, or camping, to move their stuff and themselves to a different location and what is objectively reasonable.

There was a discussion about providing bathrooms or porta-potties for those who need them and how to manage them.

There was a discussion on how to defend the City from extra homeless taking residency in the City and pushing them towards Cities that have more resources available to them.

There was also a discussion on abandoned vehicles, parking, and recreational vehicle camping. The rules differed on how long they could park different types of vehicles and the Commission discussed the rules for each one. Graichen mentioned they should rely on the vehicle chapter Chair Toschi said to leave it in, but Commissioner Castner said to put it in the correct chapter that it is being discussed in.

There was also a discussion about how to handle those who come into our City and are not from here.

To conclude, the Commission went through the draft proposal line by line and amended where they felt appropriate.

**Motion:** Upon Commissioner Carlson's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved the recommendation to Council for proposed HB3115 code. [AYES: Vice Chair Cary, Commissioner Pugsley, Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

Chair Toschi also requested that the Planning Commission allow him to attend the City Council meeting on behalf of the Planning Commission to answer questions and present the decisions they made on this ordinance.

**Motion:** Upon Commissioner Pugsley's motion and Commissioner Low's second, the Planning Commission unanimously approved that Chair Steve Toschi, as the representative of the Planning Commission, to represent them to the Council. [AYES: Vice Chair Cary, Commissioner Pugsley, Commissioner Hubbard, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None]

#### **PLANNING DIRECTOR DECISIONS** (previously e-mailed to the Commission)

- H. Partition at N. 12<sup>th</sup> Street - Hatfield
- I. Sensitive Lands Permit at N. 15<sup>th</sup> Street – LaGrand Townhomes, LLC

- J. Site Design Review at 475 N. 12<sup>th</sup> Street – 1771 Columbia Blvd, LLC
- K. Sign Permit at 270 Columbia Blvd – Columbia River Fire & Rescue

There was no discussion on the Planning Director Decisions.

### **PLANNING DEPARTMENT ACTIVITY REPORT**

- L. Planning Department Activity Report – March

There was no discussion on the Planning Department Activity Report.

### **PROACTIVE ITEMS**

- M. Architectural Standards
- N. New Proactive Item Proposals

There was no discussion on the Proactive Items.

### **FOR YOUR INFORMATION ITEMS**

Dimsho said they are doing a Gateway Project at St. Helens Street and South First Street. She said they kicked off a design project with Lower Columbia Engineering. She said they were creating a stakeholder group to participate in the design project. She said it would consist of individuals from different entities, but they wanted to include a Planning Commissioner on the project.

Commissioner Carlson said she would like to see whoever is involved in this project has been exposed to every stage of this planning. Dimsho agreed that was a good idea. Dimsho also said that whoever participated needed to be able to attend all the meetings since there are only a total of three.

The Planning Commission agreed that Commissioner Russ Hubbard should be the representative for this project.

Dimsho also mentioned the CLG award changed from \$12,000 to \$17,000, and the letters were going out to all the eligible property owners to solicit applications.

### **ADJOURNMENT**

*There being no further business before the Planning Commission, the meeting was adjourned at 10:51 p.m.*

*Respectfully submitted,*

*Christina Sullivan  
Community Development Administrative Assistant*