

**WALDPORT PLANNING COMMISSION**  
**May 23, 2016**  
**MEETING NOTICE AND AGENDA**

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, MAY 23, 2016 AT 2:00 P.M. IN THE CITY COUNCIL MEETING ROOM, 125 ALSEA HIGHWAY, TO TAKE UP THE FOLLOWING AGENDA:

1. CALL TO ORDER AND ROLL CALL
2. MINUTES: (April 25, 2016)
3. CITIZEN COMMENTS AND CONCERNS
4. CORRESPONDENCE – None
5. PUBLIC HEARING
  - A. Proposed Amendments to Waldport Development Code  
Section 16.32 Retail Commercial Zone C-2
6. DISCUSSION/ACTION ITEMS:
  - A. Planning Report\*  
(Land Use/Building Permit activity for April 18 through May 16, 2016 included two On-site Waste Management Permits for septic repairs/replacements)
  - C. Other Issues\*
7. COMMISSION COMMENTS AND CONCERNS
8. ADJOURNMENT

\*Denotes no material in packet

*The Council Chambers are accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall at (541)264-7417 during normal business hours.*

Notice given this 17<sup>th</sup> day of May 2016

City of Waldport

**WALDPORT PLANNING COMMISSION**  
**APRIL 25, 2015**  
**MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: Chair Woodruff called the meeting to order at 2:00 p.m. Chair Woodruff and Commissioners Peterson, Stole, Andrew, Quayle, Barham and Yorks answered the roll. A quorum was present.

2. MINUTES: The Commission considered the minutes from the March 4, 2016 meeting. Commissioner Quayle **moved** to approve the minutes as presented. Commissioner Andrew **seconded** and the motion **carried** unanimously.

3. CITIZEN COMMENTS AND CONCERNS: None.

4. CORRESPONDENCE: None.

5. PUBLIC HEARINGS:

A. Case File #1-CU-PC-16, Application for Conditional Use: Chair Woodruff opened the public hearing, calling for abstentions, conflicts of interest, bias or *ex parte* contact. None were announced, and there were no objections to any Commissioner participating. City Planner Lewis reviewed the staff report, noting that the applicant was requesting a conditional use permit to operate a light manufacturing of medical supplies and wholesale distributing of soft/hard goods in the Planned Industrial zone.

Jyl Wheaton addressed the Commission. Commissioner Andrew noted that the plans called for a fence and wondered how soon this would be erected. Ms. Wheaton responded that this would occur soon, dependent on the outcome of this hearing.

Mr. Lewis explained that the process began with the conditional use permit. Mr. Woodruff noted that the applicant has already erected the building but was unable to obtain proper permits until the conditional use was approved.

There were no further comments. Chair Woodruff closed the public hearing and opened the meeting for deliberations.

Commissioner Peterson **moved** to approve the application with the stipulated conditions. Commissioner Stole **seconded** and the motion **carried** unanimously. The findings will be prepared and submitted to the Commission for review, and will then be signed by the Chair.

B. Case File #1-ZC-PC-16, Application for Zone Change: Chair Woodruff opened the public hearing, calling for abstentions, conflicts of interest, bias or *ex parte* contact. None were announced, and there were no objections to any Commissioner participating. City Planner Lewis reviewed the staff report, noting that the City of Waldport was requesting a zone change from R-1 to C-2 for the former public works building.

Commissioner Barham asked about the change from C-1 to C-2, as C-1 had been proposed in previous discussion by the Planning Commission. City Planner Lewis clarified that in discussions at the staff level, it was determined that the C-2 zoning would allow for greater potential use of the property, especially in conjunction with the 12-acre open space that was adjacent.

Commissioner Quayle asked about the difference between C-1 and C-2. Mr. Lewis

responded that C-1 was designed to be more retail in nature, while C-2 allowed for not only outright uses in the C-1 zone but also allowed for uses that included manufacture as well.

Commissioner Yorks felt that the zoning should remain Public Facilities as the property should remain pristine. Commissioner Barham felt that the zoning should remain C-1, as other uses could be allowed as conditional uses.

City Manager Kemp addressed the Commission regarding the application, noting that the City would like to maintain the character of the setting while remaining flexible to uses. The State is going to be using a portion of the property as wetlands mitigation so there would be an enhancement of the natural portion. He acknowledged that there were uses permitted in the C-2 zone that the City would never want to allow there, but as the City was the owner, it could place conditions on the sale and/or use of the property to prevent those from happening.

Chair Woodruff closed the public hearing and opened the meeting to deliberations. Commissioner Peterson noted that before the sewer plant was located on the site, the Isaac Walton league had a building there and a caretaker had a small residence there. The zoning was not in error, it was in keeping with the other residential uses in the area. The building of the shop and sewer plant, along with the changes in the flood map had changed the use of the property. A lengthy discussion ensued regarding the merits of C-1 zoning vs C-2 zoning. Commissioner Andrew asked about the need for the zone change and Mr. Lewis responded that the City had gotten some inquiries about the property but with the current zoning of R-1 the uses were extremely limited. Several Commissioners expressed concern regarding the additional uses allowed in a C-2 zone such as tire retreading and vulcanization, or truck terminal /freight depot, noting that these uses were not the type of things they felt would be appropriate to the location. Chair Woodruff moved to recommend a change from R-1 to C-1. Commissioner Barham seconded. Following further discussion, the motion **carried**, with Commissioners Woodruff, Andrew, Quayle and Barham voting "Aye", Commissioners Peterson, Stole and Yorks voting "Nay".

C. Proposed Amendments to Waldport Development Code Section 16.28 Retail Commercial Zone C-1: City Planner Lewis explained that the proposed amendment would allow manufacture, fabrication or assembly of the types of goods offered for retail sales as long as the activity would not exceed 50% of the total floor area of the building and provided it occurs within an enclosed building. Chair Woodruff noted that enforcement may be an issue, citing some currently noncompliant businesses as an example.

Christine Collins addressed the Commission, noting that she was concerned that this would somehow restrict some uses, such as an artist's studio, from continuing. City Planner Lewis clarified that this proposed change would actually relax the current standards.

Sherrie Smolen noted that she hoped the Commission would include language about controlling noise, odor and other nuisances, as the City currently has a lot of residential uses in its commercial zones. The Commission agreed with this suggestion. Commissioner Barham **moved** to approve the proposed amendment, adding the following phrase "provided the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard." Commissioner Yorks **seconded**, and the motion **carried** unanimously.

Mr. Lewis noted that staff was proposing another change to the code, under General Commercial Zone C-2, Section 16.32.101 (M), which would take out the following language "...or storage of food or beverage, excluding those products involving distillation, fermentation, rendering of fats or oils, or slaughtering" and adding ""provided the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard." Following a brief discussion, Commissioner Barham noted that this should probably also have a public notice to allow for input prior to making a decision. He then **moved** to table the issue to the next regular meeting to allow for adequate notice. Chair Woodruff **seconded** and the issue was tabled.

6. DISCUSSION/ACTION ITEMS:

- A. Planning Report: The City Planner's written report was included in the packet materials. No further discussion took place.
- B. Other Issues: None.

7. COMMISSION COMMENTS AND CONCERNS: None.

8. ADJOURNMENT: At 3:21 p.m., there being no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,

Reda Q. Eckerman  
City Recorder

APPROVED by the Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED by the Chair this \_\_\_\_ day of \_\_\_\_\_, 2016.

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Ray Woodruff, Chair

May 16, 2016

**To: Waldport Planning Commission**

**From: Larry Lewis, City Planner**

**Re: Proposed Amendment to the C-2 General Commercial Zone**

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At the April 25, 2016 Planning Commission meeting, the Commission complete review of the proposed C-1 Retail Commercial amendment and forwarded a recommendation to the City Council. The Commission also discussed a potential change to the C-2 General Commercial zone and moved to continue the discussion at the May 23, 2016 Planning Commission meeting.

The draft amendment to the C-2 General Commercial zone is described below. A notice of the proposed amendment and the May 23, 2016 Planning Commission was mailed to all property owners in the C-2 General Commercial zone. At the May 23, 2016 meeting, the Planning Commission will solicit public input and deliberate. The Commission may reach consensus on a proposed C-2 amendment and forward the recommendation to the City Council.

**Description of Draft C-1 General Commercial Zone Amendment**

Currently, processing or packing of goods in the C-2 zone is limited to food and beverage. Packing and processing of non-food and non-beverage items are not currently permitted in the C-2 zone. The proposed amendment would allow processing or packing of all goods provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard.

The current outright permitted use is:

*M. Processing, packing or storage of food or beverage, excluding those products involving distillation, fermentation, rendering of fats or oils, or slaughtering.*

The proposed outright permitted use is:

*M. ~~Processing, or packing or storage of food or beverage, excluding those products involving distillation, fermentation, rendering of fats or oils, or slaughtering;~~ provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard .*