

## COLUMBIA COUNTY PLANNING COMMISSION MEETING

October 12, 2015

Meeting Minutes

Members Present: Paula Lichatowich, Linda Hooper, Alta Lynch, Jeff VanNatta, Rod Lloyd, Claudia Frace

Staff Present: Todd Dugdale, Deborah Jacob, Robin McIntyre, and Kay Clay

Others: Gloria Johnson, Herb & Jo Williamson, Robert Bristow, Jim Owen, William Etter, Cheryl VanDomelen, Ed Burgman, ???, Christopher Brown and Courtney Brown

### **BACKGROUND:**

This is a meeting set up for the Planning Commissioner's to deliberate the information received in the October 5, 2015 meeting.

Todd Dugdale gave a brief summary of what our goal is. We are amending the ordinance to consider the regulations of zoning regarding marijuana uses. In farm use this is permitted outright. Please **see the attached chart** to review the possibilities for other zoning.

**Linda Hooper** wanted clarification on the difference between a conditional use and an administrative review in a RR-5 zone.

**Todd Dugdale** explained that if there are adverse effects to the property, if neighbors have issues with the application the conditional use could have stricter conditions.

**Linda Hooper** inquired about the RR2 zone which are usually smaller in size but there are some that have large acreage in that zone. Should we have a conditional use required in the RR2 zone. Any commercial grow would need the review process.

**Alta Lynch** wanted to know if there was a grow, in doors, if it would have normal set backs in an RR zone. If there was a large existing building in the RR zone could it be used for a commercial grow. What will happen in the UGB areas?

**Todd Dugdale** explained as it currently stands that we do not have a lot of commercial farms in the RR zones. There are already standards set by the state.

**Jeff VanNatta** just wanted to follow up by saying that in the UGB area we would have to follow the City's lead.

**Todd Dugdale** wanted to make sure that we all understood that the 4 plants that the state per household is not regulated. In RC zone they are usually smaller lots and in EC zone the business is usually low scale. There can always be special use standards.

**Claudia Frace** was curious about the fence regulations around a grow operation and Todd explained that the state is working on the proposal of the types and height. Claudia wanted to know if we should have different setback for indoor vs outdoor operations. Also if there is a grow facility existing and someone moves into the area and sets up a day care within 1000' does the facility have to close. No they will not. The daycare does not trump the facility at that point.

**Alta Lynch** wanted to know if in an RR2 zone if the home occupation would apply and to verify that you can't have a medical dispensary within 1000' of a retail store. Do we know how many medical growers we have in the county? Will the OLCC have to notify the neighbors - no they will not.

**Todd Dugdale** pointed out that in an RR zone that there has to be a dwelling on the property with a grow sight.

**Todd Dugdale** pointed out that when someone wants to open a recreational shop then they would have to have a Land Use Compatibility statement from the county in order to get the license from the state. Medical facilities are not included in that requirement.

**Rod Lloyd** has real concerns regarding the banking systems with regards to when they have all that cash what type of security will there be since they are not able to deposit it in a bank at this point.

**Todd Dugdale** reminded him that the state is working on a depository for the money and the state government is trying to work something out with the federal government, The federal government know there are security issues and they will address this issue.

**Linda Hooper** questioned if the Conditional Use process is a little excessive because if an applicant started to go through the administrative review process and it was challenged then it would then go to the Commission. If on an enclosed building should there be any extra setbacks.

**Todd Dugdale** said that if we have clear standards then there would be less need for too many rules. If anyone was to have anything in an RR zone then it should go through the Conditional User permit process.

**Alta Lynch** wanted to know if there was a need for the additional 100' setback. Todd explained to her that in the RR zones that for an accessory building the setback is only 5' from the property line.

**Paula Lichatowich** pointed out that maybe we could have a provisional setback regarding the 100' setback because of lot size and shape. The hundred feet may not be needed in all cases. Also could someone apply for a variance to setbacks. What defines a major setback. Todd explained that greater than 25% would be a major variance.

**Linda Hooper** said that it could be reviewed in the appeal process if applicable. Also are we addressing problems of a few or the majority. The 100' setback could be a burden for some property owners.

**Claudia Frace** wants to know what the difference is between other yard plants that smell vs marijuana that smells?

**Alta Lynch** wants clarification on what is in public view? If you live on a hill are the properties below going to keep it out of your view?

**Jeff VanNatta** said he understood that out of view is from the street of sidewalk.

**Robin McIntyre** explained that if a building was open for the public (ie: apartments) then you would have to keep that out of view from your neighbors. Just a building for the public not your neighbor that is lower in elevation.

**Alta** and **Claudia** both wanted to know if we should rule out commercial grow in the RR2 zone. **Linda** wasn't sure if we should totally restrict it versus restricting it with standards. **Jeff** pointed out that in Warren we do have RR-2 property with 10 acres that does have Agriculture use now. That may fall into a "Canopy Coverage" that limits what gets grown per the State.

**Linda Hooper** was concerned that if we have 100' setback how much of a burden would that put on the owner. Maybe we should use the existing setback in an indoor situation. **Alta** wonders if we should have indoor and outdoor setbacks.

Discussion is closed.

**Linda Hooper** made a motion to approve the referral to the Board of Commissions with changes to having a Administrative Review instead of a Conditional Use, don't apply the 100' additional setback and not under 2 acres.

**Claudia Frace** seconded.

**Paula Lichatowich** wants to have an additional 50' for indoors on all zones.

**Linda Hooper** seconded, motion passed with a request for amendment to it stating in the RR5, Forest and Agriculture zones it would be 50' setback and **Alta** wish to amend that in an RR2 change from prohibited to inside only by Administrative review with special standards as in the RR5 zone.

**Claudia Frace** seconded the amending. Motion carried to refer to the BOC with changes as stated. Six in favor One opposed. Motion carried

Meeting adjourned 8:05 pm