

CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, March 14, 2017 at 6:00 P.M.
Coos Bay City Hall, 500 Central Avenue, Coos Bay

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles, Jeff Marineau, Katherine Flores and John Perry.

ABSENT: Commissioner Chris Hood

STAFF: Tom Dixon, Planning Administer
Debbie Erler, Planner

SIGNED-IN GUESTS: Dan Robertson, 62535 Catching Slough, Coos Bay

APPROVAL OF MINUTES

Approval of the Planning Commission minutes of February 14, 2017 postponed to the April 11, Planning Commission hearing.

CCI/PUBLIC COMMENTS None

PUBLIC HEARING

ITEM A: Development Code Text Amendment #187-ZON17-001

An application has been initiated by the City of Coos Bay to allow marijuana processing uses in the I-C district where presently it is not listed as a use category. If approved as a land use category, future marijuana processing facilities would be reviewed through either a Type II or Type III process; a Type II is an administrative review for a structure up to 4,000 square feet and a Type III review applies to businesses exceeding 4,000 square feet of floor area and requires approval by the Planning Commission after a public hearing.

Chairman Miller asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report.

Chairman Miller opened the public hearing.
Tom Dixon read the disclosure statement and outlined proposed amendment.

The Planning Commissioner asked which area of town have IC. Tom showed the areas that contain IC zone.

Commissioner Peery asked if land use approval for proposed uses. Mr. Dixon stated a proposed change of use for processing would be treated as any other change of use. If the structure is 4,000 square feet or less it would be an administrative review. If it is over 4,000 square feet it would be a review before the Planning Commission.

Commissioner Marineau stated that grow operations are not permitted, the city is proposing processing only.

Dan Robertson 555 Lockhart, opposed the proposed amendment. He said in Eagle Point they are having a lot of problems with disposal of unused marijuana. He said the unused vegetation is left to rot and is creating a real odor problem. Rotting unused vegetation. He stated they have had problems with processing.

Commissioner Marineau stated that the city has an ordinance that regulates obnoxious smells and anything beyond their authority would be referred to DEQ. Ms. Erler stated that when a concern is reported the City's Code Enforcement Officer would inspect to verify the violation and send the owner a letter. If the violation is not abated, she can refer the issue to DEQ.

Commissioner Miller asked where the use would be permitted. Mr. Dixon stated the use would only be permitted in the Industrial Commercial (I-C) zone. He added that he conducted research on other coastal communities and two communities were much more liberal approach than what we are proposing. He stated the uses are still new, but those communities have not experienced any of the ordinary issues.

Chairman Miller closed the public hearing.

MOTION: Commissioner Coles - Based on the Findings, Conclusions and proposed conditions of approval, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments A, recommend City Council approve Development Code Text Amendment #187-ZON17-001, allowing allow marijuana processing uses in the I-C district where presently it is not listed as a use category

SECOND: Commissioner Berg
DISCUSSION: Commissioner Berg stated the paper mill smelled really bad and no one complained about that because it brought revenue to the community. He said a brewery also smells bad. He added that retail sales and processing of marijuana is large industry and we need to consider that. Commissioner Marineau stated the last thing the business wants is a lot of neighbor's complainants or having DEQ at your door. He said the industry is already heavily regulated by the State. Commissioner Flores said she likes the skunky smell and the citizens voted to allow the retail sale within the City. Commissioner Berg stated the use has a medical value and there is a positive side to the industry. Commissioner Peery stated there are adequate controls from State.

VOTE: Yea – Commissioners Berg, Coles, Flores, Marineau, Peery
Nay – Chairman Miller

ADMINISTRATIVE

Mr. Dixon stated that staff is looking for guidance regarding a request by the North Bend Medical Center to expand their south parking lot, which will result in the removal of the existing landscape buffer along Myrtle Avenue. They intend to install new fencing, landscaping and a sidewalk. Because landscape buffering was an issue with the original development staff is asking the Planning Commission for feedback on whether the application should be processed as a Type II or Type III application.

Commissioner Marineau stated he was on the Planning Commission when the original land use development application was reviewed and he remembers the buffering being an issue.

Mac McSwain, 800 N Bayshore Drive, representing the applicant stated that reconfiguring the south parking to add another row of parking spaces which will result in 30 additional off-street parking spaces that is needed for staff to free up the north parking lot spaces for clinic patients. He said they intend to install a new sidewalk which will be a benefit to pedestrian traffic and install a new 7-foot high sold fence with a planter and landscaping on the street side of the fence. He said on-street parking on Myrtle Avenue should be reduced. He referred to the submitted drawing showing the street view with the new design.

The Planning Commissioner discussed the proposed changes. They determined that as long as the required fire lane is maintained they do not have an issue with staff processing the application as a Type II, which still requires mailed notice to property owner within 300 feet of the property boundary, but not a public hearing. They stated an appeal would come before them.

Mr. Dixon stated that Director Eric Day is no longer with the City. He stated the position was eliminated due to budget constraints and the Community Development Department has been joined with the Public Works Department under Department Head Jim Hossley.

The Planning Commission discussed the changes in development regulations. Commissioner Berg stated the people that he hears concerns from dissatisfied citizens, but they will not come and talk to staff about their dissatisfaction with the department. Perhaps the change in administration is a good time to talk about some of the issues.

Chairman Miller stated he recently had a project on his commercial site that involved demolition of two buildings. He said it would have been help if staff would have asked what he planned to do with/to the site when he received the permit. He said when he started to fill the hole left by the demolition and pave the area, he was informed that he needed permits for the work been done. He said any time someone comes in for a demo permit staff needs to ask what the next step is so they can provide information/guidance at that time. The Planning Commission discussed the permit process, including the right-of-way use permit.

Commissioner Berg stated congratulated Mr. Dixon on his promotion. He said this might be an opportunity to make changes.

COMMISSION COMMENTS

Commissioner Marineau stated the stop light at the Pony Village Mall is 75 percent complete.

Commissioner Berg stated the posters are out for the festivals of sails for the first weekend in June. He said it will be a challenge for the community to accommodate the large amount of people coming to the area. He said the current plan is to have a number of barges near the Mill Casino and have the Tall Ships park at a barge. The event will be a great event for the area.

ADJOURNMENT 7:12 p.m.

ATTEST:


Debbie Erler, Planner
City of Coos Bay


Rex Miller, Chairman
Planning Commission
City of Coos Bay
Coos County, Oregon

APPROVED AS SUBMITTED APRIL 11, 2017