



## WASHINGTON COUNTY PLANNING COMMISSION MINUTES OF WEDNESDAY, MAY 20, 2020

### ALL PUBLIC MEETINGS ARE RECORDED

#### 1. CALL TO ORDER: 6:30 p.m. Zoom Virtual meeting

The meeting was called to order by Chair Petrillo, who indicated that Planning Commission (PC) meetings will be conducted via the online Zoom platform until further notice and public comments will be accepted in-person and virtually during Oral Communications and scheduled hearings.

#### 2. ROLL CALL

Present: Ian Beaty, Mark Havener, Deborah Lockwood, Anthony Mills, Jeff Petrillo, Sushmita Poddar, Eric Urstadt and Matt Wellner.

Staff: Andy Back, Planning and Development Services (PDS); Theresa Cherniak, Erin Wardell, Jessica Pelz, Anne, Kelly, Todd Borkowitz, Carine Arendes and Susan Aguilar, Long Range Planning (LRP); Jacquilyn Saito-Moore, County Counsel.

#### 3. DIRECTOR'S REPORT

Andy Back, Manager of PDS:

- Bart Dickson (District 3) resigned from the PC since he is moving out of Washington County. Staff is coordinating with the Board of Commissioners (Board) and Community Engagement staff on appointment of a successor to serve the remainder of Mr. Dickson's term.
- Interviews for the Principal Planner position in the Current Planning group are coming to an end and a decision will be announced soon.

##### Today's PC work session briefings

- Urban Reserves Transportation Study (URTS)
- Rural regulations
- Breweries and cideries

##### Upcoming PC meetings

June 3 (via Zoom; 1:30 p.m. start) briefings:

- House Bill (HB) 2001: "middle housing bill" rulemaking
- Short term rentals update

June 17 (via Zoom; 6:30 p.m. start) hearing:

- Ordinance No. 864 - Breweries and Cideries

##### Board updates

The Board continues to meet to conduct County business and to make critical decisions on Covid-19 response. No 2020 Work Program items have yet gone before the Board.

#### 4. ORAL COMMUNICATIONS

- Erich Brandstetter (18640 SW Jaquith Rd., Newberg, OR) addressed the PC on fire hazards associated with marijuana processing facilities. Mr. Brandstetter was concerned about the lack of equipment standards and worker training requirements for marijuana processing and his belief that extracting THC from marijuana plants is a chemical refining process and not agricultural. He cited recent explosions in marijuana processing facilities in Oregon and California - facilities similar to one located in Yamhill County and across the street from his residence in Washington County. The facility has buildings located about 15 feet from a dense forest and about 100 feet from neighboring residences; the nearest fire station is 45 minutes away. He also stated his beliefs that: 1) Washington County should have a response plan in place to address the potential for explosions in the County and parts of neighboring jurisdictions; 2) marijuana processing facilities should be considered industrial operations; and 3) the state should define marijuana processing like other forms of industrial processing, which are based on fire risk and regulated by the state fire marshal. He requested the County advocate for this legislative change, to better ensure the definition applies throughout the jurisdictional authority of the County and Tualatin Valley Fire & Rescue (TVF&R).
- Richard Thompson (20080 SW Jaquith Rd., Newberg, OR) expressed concern with negative impacts from a marijuana processing facility near his residence in Yamhill County. His concerns include ground water abuse, pollution, odor, noise, bright security lighting, traffic safety on rural roads, Hwy. 219 congestion, crime and other safety issues. Marijuana production is typically performed year-round (not seasonally) for maximum profit, and the County should distinguish marijuana production and processing in rural areas. The County does not recognize the extent of pollution dangers associated with marijuana production and processing and should more strictly regulate setbacks to minimize undesired impacts on nearby neighbors. The County should also provide necessary fire and law enforcement services to rural residents on Chehalem Mountain and deny all land use applications related to marijuana operations in rural areas if these regulatory changes are not made.
- Laura Cochran (18925 NE Jaquith Rd., Newberg OR) shared concerns of a marijuana processing facility near her Yamhill County residence and outlining her concerns for the PC. She stated that: 1) marijuana processing facilities should only be allowed in areas with industrial land use designations; 2) outdoor marijuana production should not be allowed on any groundwater limited or critical areas; 3) wells serving marijuana production facilities should be metered; 4) indoor marijuana production should be required to maintain 1,000-foot setbacks from all neighbors, trees and vegetation; 5) marijuana facilities should be randomly tested tri-monthly for THC and 6) marijuana facilities with onsite septic should be tested for any nondomestic waste and should install a Department of Environmental Quality (DEQ) approved commercial septic system.

#### PC discussion and questions

- Letters should be sent by presenters outlining these issues to the Board and state legislators.
- Is the County allowed to share a model code or other relevant information with Yamhill County staff and elected officials?

- Could staff check requirements and/or reassess whether the County has the same risks of incident occurrence at marijuana facilities and fire department response as Yamhill County?
- Are these issues regulated by the Oregon Liquor Control Commission (OLCC)?

## 5. WORK SESSION

### a. Urban Reserves Transportation Study (URTS) update

Erin Wardell, Principal Planner and Jessica Pelz, Senior Transportation Planner with the LRP Transportation Planning group provided a Power Point presentation (PPT) on URTS. The County received a Metro 2040 Planning and Development grant to study the impact of anticipated future development in the County's urban reserve areas on the County's transportation system. The URTS derived from the Washington County Transportation Futures Study (WCTFS) and the Cooper Mountain Transportation Study (CMTS). The WCTFS focused on growth in expansion areas around the county and allowable density in urban areas, and highlighted the costs and benefits of different investments in the transportation system. CMTS focused on how growth in existing and future development areas adjacent to the Cooper Mountain area would affect nearby roadways. CMTS included public outreach and identified solutions but lacked funding for the technical analysis component, while the URTS incorporated data and analyses for CMTS and included all County urban reserve areas and impacted roadways. Staff included information on URTS objectives, Technical Advisory Committee and Stakeholder members and outreach target priorities, travel demand modeling, land use assumptions, feasibility analyses of identified projects and next steps.

#### URTS objectives

- Coordinate with partners on development assumptions, goals, evaluation criteria and performance measures
- Identify areas of projected multimodal capacity needs, assess future right-of-way and long-term jurisdiction needs
- Create an infrastructure finance plan template

#### Next steps

- Finish travel demand modeling and analysis
- Include recommended future improvements in the infrastructure analysis report
- Develop an infrastructure funding plan template and toolkit

#### PC discussion and questions

- What are the community engagement efforts? There is still value in getting community input, even if a study is technical in nature.
- Will the Board undertake a new Transportation Systems Plan (TSP) process?
- How are the needs of underserved communities being addressed?
- A discussion about funding alternatives of rural roads (including tolling) and a comment that budgets could change due to the pandemic concerns.

**b. Breweries and cideries ordinance briefing**

Carine Arendes, Associate Planner with the LRP Community Planning group provided a PPT containing an overview of the legislative basis for the amendments proposed in the ordinance and of some key rural land use concepts. Due to changes in state law that the County must implement, the ordinance proposes amendments to the Community Development Code (CDC) to establish standards for farm breweries and cideries in Exclusive Farm Use (EFU) and Agriculture and Forest (AF-20) districts. The presentation highlighted farming as an economic sector, the growth in craft brewery and cidery industries and the legislative history for wineries that served as a model for farm brewery and cidery uses. The staff report will include a comprehensive summary of the ordinance and be available ahead of the June 17 PC hearing.

PC discussion and questions

- Will new uses be limited to exclusive farm use areas (EFU/AF-20) only and will the qualifying thresholds for cider businesses be based on those in place for wineries?
- Will cideries be allowed to have tasting rooms (like farm breweries)? State allowances may be different from what the PC and community members want to allow or require. Similar issues may arise regarding farm stands.

**6. CONSIDERATION OF MINUTES**

**a. Feb. 19, 2020**

Commissioner Mills moved to approve the Feb. 19, 2020 PC meeting minutes with a revision to page two, a correction that “compliant” be replaced with “complaint.” The motion was seconded by Matt Wellner. **Vote: 8 - 0. Motion passed.**

**Yes:** Beaty, Havener, Lockwood, Mills, Petrillo, Poddar, Urstadt and Wellner (unanimous);

**No:** N/A; **Abstained:** N/A

**7. PLANNING COMMISSION COMMUNICATIONS**

PC discussion and questions

- Will the District 3 PC position formerly held by Bart Dickson be filled from the applicant pool from the last recruitment or through a new recruitment?
- Should the Board consider changing the PC meeting schedule to two evening meetings? This topic was postponed to the next PC meeting to provide more time for discussion.

**8. ADJOURN: 9:08 p.m.**

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 Jeff Petrillo, Chair  
 Washington County Planning Commission

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 Andy Back, Secretary  
 Washington County Planning Commission

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020

Submitted by LRP Staff