

**CITY OF UMATILLA
PLANNING COMMISSION
April 24, 2018
COUNCIL CHAMBERS**

- I. CALL TO ORDER:** Planning Commission, Chair, Smith called the meeting to order at 6:34 p.m.
- II. ROLL CALL:**
- A. **Present:** Chair, Lyle Smith, Vice Chair, Heidi Sipe, Commissioners Jodi Hinsley, Kelly Nobles, and Ramona Anderson.
 - B. **Absent:** Craig Simson.
 - C. **Late arrival:**
 - D. **Staff present:** City Planner Brandon Seitz and Community Development Coordinator, Esmeralda Horn
- III. APPROVAL OF MINUTES:** For March 27, 2018 approved upon review of hours of operation mentioned for Bunn Conditional Use CU-3-18.
Motion to approve minutes for March 27, 2018 by Commissioner Sipe.
Commissioner Nobles seconded the motion. Voted: 4-0. Motion carried.
- IV. UNFINISHED BUSINESS:**
- A. **Bunn Conditional Use CU-3-18:** The applicant, Steve Bunn, requests approval to establish a pool hall including similar recreational/amusement services.

Chair Smith, opened the public hearing for CU-3-18. Chair, Smith, read the procedures for the public hearing. Chair, Smith, requested a motion.

Motion to open hearing made by Commissioner Sipe, motioned second by Commissioner Anderson. Motion carried. Chair Smith, now calls for staff report.

City Planner, Brandon, stated requested use is to open pool hall and other games and also serve beer and food. This building has already met all design criteria when the existing use was established. Upon discussion with City Manager and Community Development Director it was determined that it is unfair to applicant to be the only one that is subject to annual review. Conclusion was to remove condition of approval and that the applicant submit a site plan which showed that at least 50% of floor space be dedicated for recreational use. This will allow him to continue to pursue the pool hall and will let us know that it will be used for it's intention. This is what Brandon believes to be fair.

Commissioner Nobles, questions if the gentlemen's ceases to operate is it possible that Mr. Bunn can bring it back.

City Planner, Brandon, states if he ceases or discontinues the business after 1 year he loses his right to reestablish. Mr. Bunn would carry the burden of proof to prove that it has been operating as a gentlemen's club, but he could add a condition to CU-3-18 if need be. The clock starts when he ceases operation of gentlemen's club. Brandon believes it is reasonable after 6 months of operation if Mr. Bunn would like to go back

to the gentlemen's club he would require Mr. Bunn to do the non-conforming use verification.

Commissioner Hinsley asked if the site plan stated there would be a kitchen or menu.

City Planner, Brandon states that is not required as part of the conditional use but that may be required for another entity such as County Environmental Health. Realistically he could open the pool hall without offering food. He can offer alcohol as a secondary use to pool hall.

Chair, Smith, opens for public testimony;

No testimony in support, opposition, neutral or rebuttal.

Chair, Smith, called for a motion. Motion to close the hearing by Commissioner Hinsley. Motion was second by Commissioner Anderson. Voted: 4-0. Motion carried. No further discussion.

Chair, Smith, calls for a motion to approve.

Motion to approve by Commissioner Nobles. Motion was seconded by Commissioner Anderson. Voted 3-1. Motion carried.

V. NEW BUSINESS:

- A. **Zayo Conditional Use CU-4-18:** The applicant, Zayo Group LLC, requests approval to establish fiber optic lines primarily within existing rights of way. Fiber optic lines are considered a community services use under Chapter 6 of the City of Umatilla Zoning Ordinance which requires conditional use approval. The proposed fiber optic lines would be installed underground within existing rights of way of Brownell Boulevard, Columbia Boulevard, Willamette Avenue, Riverside Avenue, Wildwood Lane, Roxbury Road, Beach Access Road, Umatilla River Road, Lind Road, Highway 730 and Highway 395.

City Planner, Brandon, stated applicant is proposing to install fiber optic lines within city, county, and state rights of way. The line will cross private property in two locations. Since submittal of this application the applicant has obtained signatures from property owners so application will be amended in next months hearing. Fiber optic lines are considered community service use under our code which is allowed in any zoning. Primary consideration is impact during construction. Interruption should be minimal.

Chair, Smith, called for public testimony;

Dan Barcomb, 8516 Nash Drive Pasco, WA 99301. Mr. Barcomb representing Zayo Group, LLC states he is present to answer any questions that arise.

Question from audience to Mr. Barcomb addressing for timeframe for completion of work.

Mr. Barcomb states they have hit a roadblock at the moment but hopes to be completed with the work by end of year 2018. Keep in mind that he is waiting to hear from other

agencies before he can cross their lines, so this is just an estimated time frame best case scenario it all goes as planned. Most work with in City limits is anticipated to be finished by end of June 2018.

Chair Smith calls for testimony in support, opposition, neutral or rebuttal.

Ken Morris, 81985 Lind Rd. Mr. Morris is concerned about his well location which is 15' from where they are digging to his well and possibility of contamination.

Mr. Barcomb, representative for Zayo Group, LLC states best case scenario they don't damage any property while in construction. He will see if there is an alternative route or if they could possibly go out further. Mr. Barcomb said if there is any damage made he will make sure he does right and fix anything that is damaged.

Darla Huxel, Chief Police, representing public agency is concerned of construction on Columbia Blvd in McNary during school hours as it is a highly congested street.

Mr. Barcomb, representative for Zayo Group, LLC states because of the current setback he has he sees no problem in waiting to do construction in that area until after school is out. Should only take a week and they may commence work second week of June.

Chair, Smith, called for a motion. Motion to close the hearing by Commissioner Sipe. Motion was second by Commissioner Hinsley. Voted: 4-0. Motion carried. No further discussion.

Motion to approve made by Commissioner Sipe, motion was second by Commissioner Nobles. Voted: 4-0. Motion carried.

VI. DISCUSSION ITEMS:

- A. DLCD Guidance on implementing ADUs (SB 1051) DLCD Guidance on implementing ADUs (SB 1051)

City Planner, Brandon Seitz, states City will need to amend its zoning ordinance to allow ADUs anywhere single-family residence is allowed. This packet serves as a guide for sizing standards, parking standards, etc. This bill has an affect of doubling our density of single family zoning within our City. You can convert sheds or put new one in but will need to meet Building Code Standards. You can do an ADU attached or detached.

II. INFORMATIONAL ITEMS:

III. ADJOURNMENT

Adjourned at 7: 28pm. Next Meeting May 22, 2018 at 6:30pm