



# Kelso Planning Commission Agenda

**Meeting at 6:00p.m.**

**Tuesday, September 10, 2013**

**203 South Pacific Ave., City Hall Council Chambers**

Agenda	Approved/ Denied	Remarks
<b>Call to Order:</b>  1. Roll Call		
<b>Approve Minutes:</b>  1. August 13, 2013 Meeting Minutes		
<b>Presentation:</b>		
<b>Public Hearing:</b>		
<b>Citizen Business:</b>		
<b>Action/Motion Items:</b>		
<b>Commission Business:</b>  1. Shoreline Update Status Discussion – Jennifer Hughes with Parametrix and Sarah Lucas with Department of Ecology 2. Comprehensive Plan Status Overview – Gregg Dohrn 3. Solar Power Discussion		
<b>Adjournment:</b>  Next Meeting October 8, 2013 at 6:00 p.m.		

City of Kelso Community Development Department (360) 423-9922



## **Kelso Planning Commission Meeting Minutes**

### **Wednesday, August 13, 2013**

### **6:00pm – 7:53pm**

**Commissioners Present:** Dan Jones, Clark Hislop, James Webb, Rick VonRock, Toby Tabor, James Webb, Patricia VanRollins

**Staff Present:** Janean Parker, City Attorney; Nancy Malone, Community Development Manager; Stephanie Helem, Recording Secretary

#### **Call to Order:**

Chair Patricia VanRollins called the meeting to order at 6:00 pm.

#### **Minutes:**

Commissioner VonRock made the motion, seconded by Commissioner Wade to approve the minutes of June 12, 2013. Motion carried, all in favor.

#### **Public Hearing:**

Commissioner VanRollins stated the purpose of tonight's public hearing. On December 4, 2012, the Kelso Community Development Department received an application from the Victory Center requesting a text amendment to the City's Ordinance, Title 17, definition section 17.08. The proposed amendment is to expand the definition of Cultural Institution from "a building used primarily for the production, presentation, or exhibition of cultural disciplines of music, dance, theater, literature and visual arts, or items of scientific interest" to add the language "human refinement such as customs, social behavior". Cultural institutions are allowed in all zoning districts except for Open Space.

Commissioner VanRollins addressed the commission with the appearance of fairness questions and outlined the Rules of Procedure for a Quasi-Judicial public hearing. Speaking time limits for proponents and opponents for the proposal will be given 30 minutes total. Each individual may speak for five minutes or less.

All members of the public speaking audience were administered an oath.

Commissioner Webb acknowledged he was on city council when the Victory Center was heard separate from this language change.

City Attorney Parker clarified this hearing is not going to determine the legal rights of any proponent or opponent. This is an application for a text change. The text change will apply to all zones and all properties throughout the city.

City Staff, Nancy Malone, Planning Manager, read portions from the staff report "Findings and Recommendations of the Administrative Official". The proposal does not appear to be consistent with the goals, and policies of the comprehensive plan or other zoning provisions. First, the adopted definition is consistent with common land use principles. Second, there are no changed conditions or circumstances, either described in the application or that the city is aware of, that warrant changing the definition from that determined by the hearing examiner to be reasonable in 2010 and adopted by the city in 2011. Third, the addition of proposed language would add ambiguity and not clarity to the definition. The Administrative Official hereby makes a recommendation that the zoning text

amendment to enhance the description of “Cultural Institution” to include “of human refinement such as customs, social behavior” be denied and the existing definition remain as is.

Proponents who spoke in favor of the Victory Center:

- Leonard Pisarchuk, 3514 Pacific Way, Longview, WA. Member of the Board for Victory Center. He would like the planning commission to consider three things. (1) During 3 year stay at this location there have been no incidents. No issues with parking. Didn't affect businesses in the negative. Good terms with neighbors in south Kelso. Very good support from citizens. (2) Document that was read said the proposal is vague and unclear. Very clear the goal we pursue. (3) If this is about language then please help us to find the right words to make provision for the Victory Center to stay where it is at. In three years lives of hundreds of people were impacted by this ministry.

Proponents who spoke in favor of the Victory Center staying at its existing location. Did not specifically address the text change proposal:

- Wallace Hall, 1101 S. 3<sup>rd</sup>, Kelso, WA.
- Jarold Lee Arionas (sp?), 2618 Fir St., Longview, WA.
- Justin Matherone (sp?), grew up at 506 Ash St, Kelso, WA.
- Morgan Cann, 208 Ostrander Rd, Kelso, WA. Victory Center Director.
- Vera, 2732 Fir St, Longview, WA.
- Mike Russell, 406 Ash St, Kelso, WA.
- No Name, No Address.
- Cary Jacobs, 17 St. Helens Lane, Longview, WA.
- Alicia Palechenko (sp?), Grew up here, lives in Vancouver, WA.
- Todd Kadwell, Lifelong Kelso Resident.
- Michael Bales, 353 Maranatha Rd., Kelso, WA.
- Valerie Ann Jacobs, Cooks at Victory Center.

Opponents: No opponents

Commission discussion followed. Background information was proved by city staff. In 2010 an application went to a hearings examiner because there was a clarification of a definition. There was an appeal that was filed and the hearings examiner ruled in favor of the city. At that point attorneys got involved and the Victory Center was given the option to apply for some type of text or zoning change or leave. They chose to apply for this text change.

City staff reminded everyone this is a text change only. If this text change is approved by the planning commission and city council the Victory Center will have to apply for an administrative use permit. This means another series of hearings.

Commission discussion followed.

The Commission voted on the recommendation to council for the zoning text amendment to enhance the description of cultural institutions to include ‘human refinement such as customs and social behavior’. Passed 4 to 3. Commissioners Webb, Hislop, Tabor, Wade in favor. Commissioners Jones, VanRollins, VonRock opposed.

The recommendation of the Planning Commission now moves to the city council.

**Public Hearing Adjourned at 7:34pm.**

A representative from the Victory Center requested this not be sent to council for 3 to 4 weeks as the Pastor will be out of town on business.  
City staff confirmed this will probably be set for (city council) the first part of September.

**Chair VanRollins called a 5 minute recess at 7:37pm.**

**Meeting was called back to order at 7:41pm.**

**Commission Business:**

1. Question on why there was no opponents for the (Victory Center) text change. When there is a text change for zoning no public notices are sent out. A Public Hearing notice is published in the paper and notification sent to the applicant. Discussion followed.
2. Implemented an Emergency Moratorium at last city council meeting for medical marijuana and I-502. Will be taking this to Public Hearing the 20<sup>th</sup> of August. Discussion followed.
3. Shoreline Draft Plan Update. Plan went to Department of Ecology. Received comments from the Department of Ecology. Will be looking at some more changes. David Sherrard who was the consultant is no longer working on the plan with Parametrix. Jennifer Hughes with Parametrix is now the Planning Manager overseeing the Shoreline plan update.
4. Commissioner VonRock would like to discuss Solar Power code at the next meeting.

**Adjournment:**

There being no further business, Commissioner VonRock made the motion seconded by Commissioner Webb to adjourn at 7:53p.m.

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Patricia VanRollins, Planning Commission Chair

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Respectfully submitted:  
Stephanie L. Helem, Recording Secretary