

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
February 27, 2018

CALL TO ORDER:

President Fitzpatrick called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President Sean Fitzpatrick, Vice President Kent Easom, Jennifer Cameron-Lattek, Daryl Moore, Jan Mitchell, Joan Herman, and Brookley Henri.

Staff Present: Planners Mike Morgan. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Fitzpatrick confirmed that the minutes of the January 24, 2018 meeting were not available.

PUBLIC HEARINGS:

President Fitzpatrick explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

V17-04 Variance Request (V17-04) by Dr. Ted Forcum to apply the Development Code "Modification of Parking Space Requirements" for Cannery Loft Condominium Building A for the required potential 18 off-street parking spaces to provide 11 spaces on-site and 7 spaces within the right-of-way for potential future and existing uses within the ground floor units, and for a partial reduction in the number of spaces required for the existing personal service establishment/spa from the required one space per client chair/table. The request is also to apply the "Modification of Parking Space Requirements" for Cannery Loft Condominium Building B for the required potential 18 off-street parking spaces to provide 13 spaces on-site and 5 spaces within the right-of-way for potential future and existing uses within the ground floor units. The buildings are located in the S-2A Zone.

President Fitzpatrick asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, he asked Staff to present the Staff report.

Planner Morgan reviewed the written Staff report. Staff recommended approval of the request with the conditions listed in the Staff report.

President Fitzpatrick opened the public hearing and called for a presentation by the Applicant.

Ted Forcum, 10139 NW Skyline Heights Drive, Portland, stated he owned the two properties on Abbey Lane. He started the application process over 18 months ago, so this had been a long and expensive process. The Google maps displayed on the screen show plenty of parking is available at Cannery Lofts. He believed the image was recent based on the colors in the image. Over the last four years, he completed studies on what the parking occupancy had been, which averaged just below 25 percent. He did not see any reason that this would change. The residential units are fully owned and the commercial units are 65 percent occupied. Thirty-five percent of the spaces have been vacant since 2007 and many of the spaces he cannot lease because of available parking. When the complex was rezoned from General Industrial to S2-A, because he was in the process of trying to create more favorable businesses in a mixed-use complex. Fish processing would not be an ideal neighbor to those living close by or above. He did not fully understand the City's parking limitations at the time of the rezoning. He had misinterpreted the City's calculations on how parking was stated. Most S2-A businesses use

more space than general industrial businesses. A year and half ago, he built an office with the intention of moving to Astoria to open a practice. However, he had not been able to do so since there was not enough parking. In the interim, he had taken another job, but still hoped to have a practice in Astoria. He has lived on the coast for about 17 years and would like to settle in Astoria. As a result of the parking issues, he has had to turn away businesses that would have been great assets to the city, including a company associated with the Food Channel that would have brought a lot of media to Astoria. He hoped the Commission would approve the variance. He could work with the conditions recommended by Staff. He is co-owner of a mini-storage business that offers bike parking in storage units at Buildings A and B, so, the condition to provide long-term bike parking had already been met. He had previously discussed the difficulties of providing street side bike parking with Staff. The homeowner's association (HOA) denied his request to put City bike parking on site, so he proposed street side bike parking. He hoped he could work with the HOA to come up with a better solution for bike parking. His job on the Joint Commission for Sports Medicine is to work with city planning to make communities healthier, so, he was a big proponent of biking. He had demonstrated that ADA parking was available and sufficient. He and the HOA moved the ADA parking to a more amenable location for accessibility to all units, commercial, and residential.

Commissioner Herman confirmed that the available parking was not zoned for use by the commercial spaces, which limited Dr. Forcum's ability to fill additional commercial spaces.

Dr. Forcum added that his three-year parking study showed that on average about 75 percent of the spaces were available. Some spaces are allocated for commercial use and some are allocated for residential use. Additional spaces in the interior of the parking lot go beyond those requirements, so he was just asking for a variance on the street side parking.

Commissioner Herman asked if there was any competition between the commercial and residential parking spots.

Dr. Forcum explained that after the rezoning, commercial parking was moved from the covered parking area to the uncovered area with the exception of five spaces that were reserved as part of contracts signed when the zoning was General Industrial. Everything else is open parking. There is no reserved parking for the residential units. The complex has a total of 104 parking spaces.

President Fitzpatrick called for any testimony in favor of the application.

Kevin Cronin, Astoria, said Dr. Forcum was his client. The application was submitted prior to his involvement with Dr. Forcum, but he could answer questions about the project. He and Dr. Forcum met with Planning Consultant Rosemary Johnson last week, just before the Staff report was published, to make sure some of the conditions were clarified and agreed upon. Everyone involved has agreed to make the complex a better resource for the community.

Leslie Moorehead 3990 Abbey Lane, Unit 406B, Astoria, Cannery Loft HOA Board Member, stated she was not speaking on behalf of the loft owners, HOA members, or board members. Her specific concerns were as follows:

- The application states the variance was for the tax lots that make up the entire community. However, the Staff report identifies specifically which tax lots are owned by Dr. Forcum, which are the tax lots for the ground floor of the buildings.
- The application states the property owner is the same as the applicant, Dr. Forcum. However, the HOA owns the property. She asked that the application be corrected before being entered into the public record.
- Page 1 of the Staff report lists the wrong address for Cannery Loft Partners LLC. She confirmed the address was obtained from the tax assessor's office. The property management company would provide Staff with the current legal address for the HOA.
- Page 3 of the Staff report contained the gross ground floor area for each building, which included restrooms. However, last fall Dr. Forcum told the HOA that the restrooms were common elements that did not have a direct relationship to the commercial units. The HOA had reserved the ground floor restrooms for commercial use only until last fall. They are now available to commercial and residential users.
 - She did not object to the request for additional on-street parking and did not know how a change in calculating the floor area could impact the number of parking spaces required.
- The first Finding on Page 8 of the Staff report states Buildings A and B are proposing different things. When the HOA refers to a specific building, they are referring to the entire residential portion of the building. She

believed this was what the Staff report was trying to say. However, only the owner of the commercial spaces in each building is requesting a certain number of parking spaces.

- The HOA would like to work with Dr. Forcum to make his proposal a good one. The HOA supports his interest in filling the remaining commercial spaces. They would like the spaces filled with good paying tenants and customers. They would like the spaces lighted to prevent safety issues. However, the HOA would need to work with Dr. Forcum on the City's requirements. She wanted to know exactly what the City expects of the HOA. She understood the ADA parking issues had been resolved. She understood the City was requiring the HOA to review a proposal for the bike parking requirements, and then present the proposal to the Planning Commission.

Planner Morgan clarified that since the HOA denied Dr. Forcum's request for on-site bike parking, Staff would allow bike parking in the rights-of-way, either on the sidewalk or in the landscaping along 39th or Abbey Lane. It would be best if Dr. Forcum and the HOA could come to an agreement to allow bike parking in the parking lot.

Ms. Moorehead responded that was a possibility. The HOA discussed bike parking late last year, but in a different context. It is not a true statement to say the HOA turned down Dr. Forcum's request. She believed an agreement could be worked out. She believed on site bike parking would have to be made available to both commercial and residential uses. She did not understand what the City was asking the HOA to do about landscaping, which was mentioned a few times in the Staff report. The loft's two-year construction project was complete, so they are now working on landscaping on the north side of the property. Landscaping would also be done on the south side and in the cul-de-sac area. She hoped the City would let the HOA know if there were any landscaping requirements, whether in connection with the variance request or other requirements. She wanted the residential owners to be assured that residential parking would not be taken from them. The residential units are allocated at least 85 parking spaces. This allocation has existed from the beginning and has never changed, even when the zoning changed. The residential parking spaces are not marked or reserved; they are first come first served. The complex has a lot of available parking, so she did not understand the argument for a variance. Dr. Forcum is requesting an additional 12 to 18 spaces on the street, even though people were not likely to park on the street. People are welcome to park anywhere on the property and were likely to park close to Dr. Forcum's units. Eventually, the buildings might have a much heavier residential use, but the buildings are nowhere near full capacity. She hoped the argument that there is a lot of available parking would not be considered for this variance request. However, she favored the application.

Sunil Raju Attorney, Campbell and Popkin, 1580 N Roosevelt Dr, Seaside, stated he was speaking on behalf of his client, Mary French-Peterson who owned Water's Edge Spa in Suites 102 and 103 of Building A at Cannery Loft. Ms. French-Peterson and her son co-signed the lease in 2016 and built the spaces for the business. Ms. French-Peterson invested \$65,000 out of her retirement to build space, but she did not realize the parking restrictions would only allow her to use half of the space. He asked the Planning Commission to consider the needs of the businesses. Ms. French-Peterson's business would benefit from some flexibility. The spa is not open in the evenings, so customers would not compete with residents for parking. He believed the variance would be complimentary between the businesses and the residences.

President Fitzpatrick called for any testimony impartial to the application. There were none. He called for any testimony in opposed to the application.

Lois Dupet, P.O. Box 1282, Astoria, said she urged the Planning Commission and City Council to adopt a standard that requires applicants to provide 100 percent parking. Astoria has a big parking problem that would only get worse. There has been a lot of public testimony about safety issues in crosswalks. This variance would only compound the problems. The future of the town is positive and development would occur rapidly. If the City does not think ahead and provide leadership on this issue, the community will run into problems. She asked the Commission to deny the application. The City needs to require investors to build the parking they need. Tourism and the fishing industry will not leave Astoria. There are many uses for right-of-way parking. The parking lot on the pier is full when people are at the coffee shop. It is not fair to the public to allow this developer to monopolize the public right-of-way.

President Fitzpatrick called for the Applicant's rebuttal.

Dr. Forcum clarified that the tax lots for the commercial units were listed correctly. The ground floor restrooms were calculated into the ground floor area, as requested by Planning Consultant Johnson. He confirmed that he

submitted to the HOA a request for twice the bike parking required by the City, which was denied by the HOA. His parking proposal had nothing to do with residential parking. The variance would just add unallocated parking in the right-of-way. He explained that during the rezoning process, there was a great deal of acrimony between himself and the HOA. One board member held secret meetings to organize a parking coup, which changed the way he presented the variance request.

President Fitzpatrick called for closing comments of Staff. There were none. He closed the public hearing and called for Commission discussion and deliberation.

Commissioner Mitchell said she goes to the coffee shop near the Cannery Loft and it is clear that there are many vacant parking spaces. She believed this was because less than 30 percent of the condominium owners have local addresses. Small cities have only recently begun dealing with condominiums as second homes. Traditionally, parking spaces along street frontage have been considered public parking. Even houses must have off-street parking because the owners do not own the parking space in front of their homes. She believed that the on-street parking was currently being used by people taking the trolley, visiting the pier, using the Riverwalk, and during special events. The ferry parking would also be along the street in that area. She did not know how the City could guarantee those spaces for commercial uses. However, it would be to everyone's benefit if the commercial spaces were filled with uses appropriate for the condominiums. She was undecided about the variance request.

Planner Morgan referred to the parking study that was included in the agenda packet and noted that Staff considered the usage of the parking lot over a three-year period. The largest percentage of usage of the 111 spaces occurred on Memorial Day weekend with 34 spaces used, and then the HOA meeting in mid-July with 43 spaces used. When the complex was built, the City required each unit to have two parking spaces. People who use the condominiums as second homes do not typically come to Astoria with two cars. Additionally, the spaces in the parking lot are not available to the public. Pier 39 leases parking space from the Hampton, which provides a buffer against the overcrowding of on-street parking.

Commissioner Mitchell said maybe the Commission should consider the second home ownership given that two parking spaces are required per unit. She questioned how the zoning ordinance would be enforced.

Commissioner Henri asked if the variance would expire in two years. Planner Morgan explained that because the tenants come and go, the variance would be valid for longer depending on the occupancy of the approved uses.

Commissioner Henri said she wanted to help fill the empty units with viable businesses. It was a shame that the salon was limited to using only four of their chairs because they only have four parking spaces in a lot that is 75 percent empty most of the time. On street parking in commercial districts is first come first served. She would feel better about this request if the property had reserved resident parking. It would be unfair to the residents to drive up and find no available parking. She was undecided.

Vice President Easom said he was undecided. The Commission has suggested shared parking for other uses and he believed that would work in this situation. Occupancies of the residential and commercial uses would not be the same. People say that Astoria has a parking problem, but he disagreed. People get upset that they have to walk half a block to a store in downtown. The farthest he has had to walk is a block and a half. He did not consider that to be a parking problem. He had always been able to find a parking spot downtown. He did not believe this property would experience anything close to the parking situation downtown. It would not be feasible for every building to supply all parking. He was leaning towards voting in favor of the request.

Commissioner Herman said she was also leaning in favor of the variance. Many of the residences are second homes so the chance of the parking lot being completely full was small. Even though the variance would be set in stone, she was comfortable approving it because of the nature of the housing. There is more than adequate housing. It is a shame that commercial spaces cannot be filled due to the lack of zoning for parking. She asked if the City overestimated the amount of parking that would be needed for this property. Planner Morgan said one parking space per 500 square feet for retail and office space was generous. However, the spa is required to have a parking space for every chair, which he believed was unreasonable. Most of the standards were similar to other communities. Two spaces for each condominium provides a lot of overage, especially since a large percentage of the condominiums are second homes. The standards are reasonable, but there is always room for improvement.

Commissioner Herman asked if approving the variance would prevent the public from parking in the on-street spaces. Planner Morgan said no, the spaces would be first come first served.

Commissioner Cameron-Lattek stated she assumed the on-street spaces would not be marked or restricted, but would simply be allocated for zoning purposes. She was comfortable with allocating the spaces in this part of town because the variance is written in a way that the commercial parking would not compete with the residential parking in any way. She was in favor of flexibility that encouraged economic development. This variance only specifies right-of-way parking spaces directly adjacent to the buildings. There is a lot of other on-street parking in the area. The Hampton already takes up a lot of property and she did not believe much competition would come into the area. She was glad to learn the businesses on Pier 39 leased parking space. She was in favor of the proposal.

Commissioner Moore confirmed that the variance request is to reduce the number of off-street parking spaces required and the justification is the availability of on-street parking. The on-street parking would not be locked into anything. The key considerations for this variance are whether or not it would prevent an unnecessary hardship; that the development is consistent with the neighborhood; and the request is necessary to make reasonable use of the property. The Planning Commission has reviewed this property before and it has been very difficult to get commercial businesses in the building. Parking has been huge problem. He supported the request and hoped it would generate more interest in the commercial spaces.

President Fitzpatrick said he owned commercial and residential parking lots, two of which are legal non-conforming under the current Code based on the number of units. Both of the lots are located on corners and there has never been an issue with on-street parking or the availability of parking. His other lots that do provide the required number of parking spaces are not full. The only time he has an issue is on the day of the Regatta parade. His commercial lot is not used at all. He understood what Dr. Forcum was looking for and appreciated Commissioner Herman's clarification that the on-street parking would not be reserved. Dr. Forcum was simply asking if the on-street parking could count towards his requirement so he could fill the commercial spaces. This is not an unreasonable request, so he was leaning towards approval.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Variance Request V17-04 by Dr. Ted Forcum; seconded by Commissioner Henri. Motion passed unanimously.

President Fitzpatrick read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS:

There were none.

President Fitzpatrick called for a recess at 7:35 pm and reconvened the meeting at 7:42 pm.

WORKSESSION:

Item 6(a): Proposed Code Language for Emergency Shelters

Commissioner Moore said his proposed Code language for emergency shelters was a result of the long meetings held to discuss the Astoria Warming Center. The goal was to update the Development Code to provide guidance on emergency warming shelters. Currently, the Warming Center must apply for a temporary use permit every year because the Development Code does not contain any language specific to emergency shelters. The proposed language would create definitions, a conditional use standard, and criteria that would allow emergency shelters to operate in the same location every year. He noted the draft of the Code language had been updated since the agenda packet was published because Chief Ames had some concerns. The most recent version was available on the desk. He explained how he developed the proposed Code language and gave an overview of the criteria and standards for this specific conditional use, noting how Chief Ames' concerns about the original draft had been addressed in the most recently updated draft. He confirmed the definition of emergency shelter would prevent this Code language from impacting permanent shelters or recovery centers.

Planner Morgan confirmed that the term recovery center was not defined in the Development Code, but did fall under the category of semi-public use since a non-profit was in operation for the general public. Staff recommended including another category that defined recovery centers if this new Code language was adopted. Recover centers also exist in residential areas of Astoria. He reviewed the steps necessary to get the Code language adopted, noting that Planning Staff would like the opportunity to make recommendations.

Discussion by the Commission with Commissioner Moore's responses to questions, comments, and concerns were as follows:

- When asked if there were separate facilities for youth, Commissioner Moore noted he took the definitions straight out of Oregon City's Development Code. The Astoria Warming Center does not accept youth unless accompanied by their parents.
- The recommendation for crime watch requirements was based on letters sent to the City from residents in the neighborhood indicating most disruptions occurred hours before and after the center's hours of operation. This is consistent with Warming Center's current neighborhood agreement. Adding the requirement to the Code would allow the City to enforce regulations rather than relying on a neighborhood agreement. Commissioner Mitchell believed this was unnecessary as things had changed and the Warming Center did not have enough staff.
 - Commissioners agreed that someone should be responsible for a crime or neighborhood watch, but debated about how long before and after operational hours would be appropriate. After some discussion, Commissioners agreed that a neighborhood watch 30 minutes to an hour before and after operational hours was reasonable.
- The off-street parking requirement seemed unnecessary because most of the people using the Warming Center do not have cars and the parking lot was not used at night. Additionally, the requirement might adversely affect shelters that want to locate in areas without any nearby off-street parking. The Commissioners agreed the parking requirement should be removed from the draft Code language. Commissioner Cameron-Lattek believed several of the terms and definitions should be changed.
 - The definition of emergency shelter should be more specific to differentiate between homeless shelters and emergency shelters for natural disasters. The Oregon Fire Code's technical advisory uses the term temporary shelter. The Commission agreed to use the term temporary homeless shelter.
 - Family should be changed to household.
 - Crime watch should also be changed because the issues were with loitering, not crime. Commissioners agreed to use the term neighborhood watch.
 - Garbage watch should be required only on days following a day the shelter is open.
 - Only individuals not licensed to carry firearms should be reported to the police.
- Testimony at the last temporary use hearing was in regard to impacts to residential zones. The Comprehensive Plan states residential zones must be protected from incompatible uses. He understood the need for shelters, but their scale was impacting neighborhoods. Smaller shelters would not have the same impact. Therefore, the proposed Code language would prohibit larger shelters from being located in residential areas and small shelters would be limited to ten people.
 - The proposed zones are near businesses and services that shelter guest frequently use.
- The Commission and Staff discussed the differences between allowing shelters through a temporary use permit and a conditional use permit. Requiring the Warming Center to get a permit every year so the Planning Commission could review the request on a regular basis could incentivize compliance with the permit's requirements. However, there are currently no enforcement options in the Development Code. And while the Astoria Warming Center has worked hard to be a good neighbor, other shelters might not.
- This Code language would prevent the Astoria Warming Center from serving as many people in their current location. Commissioner Mitchell was concerned about this because the impact to the neighborhood would spread across several neighborhoods and the services offered by the Warming Center allow people to clean up before attended classes or job interviews. Additionally, she did not want a city full of ten-person shelters because each would need staff, volunteers and food.
 - Commissioners recalled that the Warming Center's original proposal was to serve broth and coffee when the temperatures were below 35 degrees and it was their choice to begin offering additional services. The need for shelters would become more permanent each year and neighborhoods should not be invaded by a large and growing shelter.
 - Commissioner Henri suggested that shelters in R-3 zones be required to reapply for a conditional use permit if they propose to grow in square footage or increase the number of people they serve. This would allow the Astoria Warming Center to remain in its current location.

- This new Code language would prevent a shelter from obtaining a temporary use permit because temporary use permits are issued for uses that are not defined in the Code.
- Commissioners discussed their desire to hear from the public, particularly about allowing shelters in R-3 zones. Staff confirmed two public hearings would be conducted, one before the Planning Commission and one before the City Council. Commissioner Henri wanted to hear from the public before a hearing so she could decide whether the proposed Code language should allow shelters in R-3 zones.

President Fitzpatrick called for public comments.

Annie Martin, 1024 Grand, Astoria, said she had an issue with all of the zones. The proposed Code language limits organizations like the Warming Center from purchasing land because there is no land available in the zones specified, nor are there any buildings in those zones that would be affordable for that type of organization. If churches are allowed to serve ten or less people and several churches are located in a one block area, the impact to the neighborhood would be the same as what is happening now at the Warming Center.

Commissioner Moore clarified that the conditional use standards would only apply to shelters serving more than ten people. It would be up to the City to decide whether smaller shelters still needed to apply for a temporary use permit or could operate without permission. He explained the circumstances under which the Astoria Warming Center was required to get a temporary use permit after operating without one for several years. The proposed conditional use standards would prevent continued growth and impacts to neighborhoods.

Ron Maxted, 359 6th Street, Astoria, thanked the Commission for thinking about the Warming Center. The City gave the Warming Center awareness and guidance that the facility needed. This year, the Warming Center tried to implement the City's guidance. They do not allow people to gather before entering the shelter and try not to have the same problems that occurred last year. He would like temporary shelters allowed in R-3 zones because the Warming Center is in an R-3 zone. He did not want the Warming Center to be excluded or limited to serving ten people. They currently average 25 people and last year the average was 35 people. He believed implementing the new rules has discouraged people from coming from other places. He liked the idea of referring to the crime watch as a neighborhood watch. Thirty minutes before and after operational hours would be reasonable. He was not aware of any crime reported due to the Warming Center. Locating shelters in other areas would be great. The Warming Center is still on the lookout for other places, like in a commercial zone.

George McCartin, 490 Franklin Avenue, Astoria, stated that this process was an extraordinary and unusual procedure for amending any code. In this case, a Commissioner is making up the framework for the Code. In his experience over 13 years, Staff initiates Code amendments by recommending language to the Commission. The proposed code makes no mention of showers or laundry. He wanted to know if this meant showers and laundry were prohibited or allowed. The proposed calculation for determining the maximum number of occupants would exceed what is currently allowed. The existing shelter would have to get permission from the church, which is already reluctant to allow expansion. The Warming Center has already been confiscating all weapons for the past four years, but the new conditions would prevent people carrying firearms from entering the shelter. A lot of people carry firearms. There are permits for concealed weapons. He questioned whether the proposed language was saying that homeless people could not have a permit or a gun. He did not want people to have weapons on them while in the shelter. The Warming Center puts weapons in a locked box. He was especially concerned that anyone with a firearm would be reported to the police. He asked on what basis the police would be contacted. He believed the parking requirements were ridiculous because there is only a maximum of two cars at the existing Warming Center. One car is owned by staff and the other car is owned by someone at the bed and breakfast next door.

Lois Dupet, P.O. Box 1282, Astoria, thanked the Commission for working on the Code language and listening to the community. The homelessness problems will not go away anytime soon. The proposed code is a good start. She believed the shelters should be called emergency warming centers because they are not really shelters. The facilities only exist when the weather is bad. This code language could be used as a template as the problem grows. She objected to the way the clients are described in the definitions of homeless, homeless individual, homeless person, and homeless family. Many of the people being served in these facilities are not homeless. The City needs to get to the root of who they are serving and why. The clients are people who are families and individuals experiencing housing inequality for several reasons. To many people in the disenfranchised community, the word homeless is an insulting slur. She asked that the word homeless be removed from the proposed code language and the phrase "those experiencing housing inequality" be used instead. The definition

of family should be amended to include "...to whom a fixed regular and adequate night time residence is not currently available." The second paragraph in the definition is insulting, overly burdensome, and dehumanizes clients.

Commissioner Mitchell excused herself from the meeting at 8:37 pm.

President Fitzpatrick called for a recess at 8:41 pm and reconvened the work session at 8:47 pm.

Commissioner Henri said she appreciated the comments about the word homeless, but questioned how important it was in the City Code. Using the word houseless would keep the Code language simple. The term Warming Center seemed appropriate. She confirmed the calculation for determining the maximum number of people allowed was recommended by the State Fire Marshall.

Commissioner Moore specified which sections of the proposed code were taken verbatim from the Fire Marshall's recommendations and which sections were drafted from existing neighborhood agreements or public input about the Warming Center.

Commissioner Henri confirmed that building codes required fire extinguishers, so there would be no need to include it in this code.

Commissioner Moore believed Mr. McCartin made good points about the language in the life safety section referring to weapons. He recommended removing Section 5.a) Weapons. Warming centers can deal with weapons however they choose. Commissioners Henri and Cameron-Lattek agreed.

President Fitzpatrick confirmed, with the board members present, that the Astoria Warming Center continued to take weapons away from guests. The requirement is a policy of the Warming Center and is included in their neighborhood agreement.

Mary Anne Martin, said she had never seen a gun in the two years she had been volunteering at the Warming Center. However, she did see knives and multi-tools. The knives are put into a lockbox at check-in.

Vice President Easom suggested the Code required facilities to have a weapons policy.

A straw poll vote indicated the Planning Commission unanimously agreed to pursue developing Code language for emergency shelters.

President Fitzpatrick believed the difference between 10 and 30 people in a shelter was exponential. He asked the Commission to consider impacts to the neighborhoods as they moved forward.

Commissioner Moore believed that getting a temporary use every year made investing in a permanent location impossible. Organizations would not put money into a building they might not be able to use the following year. A conditional use permit could spur investment in a permanent location. Vice President Easom added the permit could also make an organization eligible for grant funding.

President Fitzpatrick stated the proposed code language was not specific regarding an existing warming center. The Astoria Warming Center might not always exist and other shelters might have their own unique challenges and situations.

Planner Morgan confirmed Staff would prepare a new draft based on comments and direction given by the Commission during this work session. The updated draft could be ready for Commission review by March. After some discussion, the Commission and Staff agreed to review the updated draft at a work session in April.

Planner Morgan displayed a zoning map on the screen and pointed out the R-3, R-2, and C-3 zones.

STAFF UPDATES: There were none.

MISCELLANEOUS: There was none.

PUBLIC COMMENTS: There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:07 pm.

APPROVED:

A handwritten signature in blue ink, appearing to read "Mark Paul", is written over a horizontal line.

City Planner