

**Woodburn Planning Commission
Meeting Minutes
May 23, 2024**

Convened: The Planning Commission met at 7:00 p.m. both in person and through a public online/virtual session via Microsoft Teams.

Roll Call:

Chair	Ellsworth	Present
Vice-Chair	Hernandez-Mejia	Present
Commissioner	Bartel	Present
Commissioner	Berlin	Present
Commissioner	Bravo	Absent (Excused)
Commissioner	Corning	Absent (Excused)
Commissioner	Lassen	Present

Staff Present:

Chris Killmer, Assistant City Attorney
Chris Kerr, Community Development Director
Dan Handel, Planner

Introduction: Chair Ellsworth opened the meeting at 7:00 p.m. and asked Staff to begin roll-call. Chair Ellsworth led everyone through the Pledge of Allegiance.

Minutes: Chair Ellsworth asked for any corrections, additions, or modifications for the April 25, 2024 minutes; there were none. Due to issues with her audio at the last meeting, Vice-Chair Hernandez Mejia abstained from voting. Commissioner Lassen made a motion to approve of the minutes. Commissioner Berlin seconded. The vote was unanimous with 4-0, and the minutes were approved.

Business from the Audience: None.

Communications from Staff: None.

Public Hearing:

Legislative Amendment LA 24-02: Food Cart Pods

Chair Ellsworth opened the public hearing for Legislative Amendment LA 24-02: Food Cart Pods and gave a quick summary about this public hearing item. Chair Ellsworth asked if there were any conflicts of interest and there were none. She asked if there were any challenges and there were none. Planner Dan Handel began his Legislative Amendment LA 24-02: Food Cart Pods presentation. After the presentation, he shared a recommendation he had received from an existing food cart pod manager to reduce the minimum cart separation rule from 5 feet down to 4 feet. He then asked if the Planning Commission had any questions or comments.

Community Development Director Chris Kerr added that it's different when a downtown business owner wants to set up outdoor displays of merchandise along the sidewalk in front of their business, as those are allowed. The proposal is to prohibit push carts from setting up shop in front of those businesses. Commissioner Berlin asked if there are any existing food cart pods in Woodburn, and Planner Handel gave the one on Industrial Ave as an example. That one is in the current land-use review stage for a proposed restroom set-up. Assistant City Attorney Chris Killmer added that the food cart pod on Industrial Ave is following the current development code for food cart pods.

Chair Ellsworth asked if the **Planning Commission** had any other comments or questions, which there are none. She moved onto testimony from the public.

Testimony from the Public: Oscar Regino 695 N. Settlemier Ave. Woodburn, OR 97071. Mr. Regino that he and his family are vendors in Woodburn and that they are in favor of the proposed legislative amendment. One of the main reasons that they are in-favor is that they as vendors can have more control, such as the hours and days of operation as well as being able to stay in one location. His main question is about the hours the food cart pod can be open and how long they can operate, as some of the clients eat late on the weekends. **Mr. Regino** expressed his interest in when and where this will take effect, so he and his family can be involved promptly. He also asked what types of food vendors will be allowed in the food cart pods, as some food cart pods may want to avoid duplicated food cart types. While they are in favor of the new regulations, they would have to leave their current spot, which may be difficult for their clients, as they built familiarity in that location. Final thoughts were **Mr. Regino** saying that if the process can be explained about the food cart pod and how to be part of it could be in Spanish, that would help folks like his father to understand it better.

Director Kerr explained that this legislative amendment is to adjust and edit the current standards for food cart pods and food carts. These new standards would be for both City and privately run food cart pods. There is no specific type of food carts allowed in the pods, that would be determined by the individual who runs the pod. **Mr. Regino** explained that the current location where their food cart is stationed is next to a market, which the zone allows food carts to park temporarily. **Director Kerr** explained that there's no specific time for hours of operation, but they use a restaurant's hours of operation as a guiding point. **Chair Ellsworth** commented that this new code would help new developers who are interested in developing a food cart pod know the **City's** regulations and help keep vendors and customers safe. **Mr. Regino** agreed that the regulations would help, especially when it comes to sewer and electrical concerns. **Chair Ellsworth** thanked the audience for their participation in these types of meetings involving improving the community.

Margaret Coffey 845 Fairwood Crescent Dr. Woodburn, OR 97071. Ms. Coffey stated that she has lived in **Woodburn** for 4 years. She mentioned that her son is named John Stromquist, the owner of the **Willamette Garage**, which is a food cart pod. **Ms. Coffey** stated that he has talked to the **City** before and that he is willing to give advice to anyone who is interested in taking on the responsibility to develop a food cart pod in **Woodburn**. She stated that the **Willamette Garage** is so popular because of the different variety of food carts being offered and the marketing that goes into it, along with special events that the pod would host. She briefly mentioned the food cart pod in **Tumalo** and how that one is another popular one that folks go visit. Her final thoughts were that a food cart pod would be a wonderful idea for the community and people would like the idea of having the food carts located in one area instead of spread-out all-over town.

Chair Ellsworth asked if there was any more testimony from the public, which there was none. She closed the hearing and moved onto the deliberation. The **Planning Commission** discussed what was presented. **Chair Ellsworth** mentioned that the **Commission** expressed interest in changing the 5 ft cart separation rule down to 4 ft. **Vice-Chair Hernandez-Mejia** suggested that it could be for the wide side of the trailer, instead of the length. She mentioned that the other regulation was up to 3 feet. **Commissioner Berlin** stated she's fine with the spacing suggested by staff, as folks would still walk in-between cart, regardless of a 3 ft spacing. **Chair Ellsworth** mentioned that the reason why they would discuss the spacing was because of the ADA issues and she expressed that she's fine with 4 ft. The **Planning Commission** discussed more of this topic. **Chair Ellsworth** asked **Commissioner Bartel** if she had any comments about this topic and she said no and added that 3 ft would be the smallest for them to agree on and nothing less.

Chair Ellsworth then moved onto the other topic they discussed a lot about, which is about not allowing push carts downtown. **Planner Handel** stated that this has already been incorporated into the proposed amendments. **Vice-Chair Hernandez-Mejia** asked about temporary marketing/special events permits and the difference between normal three-day events and special events like firework sales. **Planner Handel** pulled up 2.07.17 and showed that these events will be separated into three categories. **Vice-Chair Hernandez-Mejia** asked if this is like what it was before, and **Planner Handel** answered that this amendment specifically identifies food carts are permitted as only as a single or recurring event, not as seasonal event. **Chair Ellsworth** asked if the **Planning Commission** had any other comments or questions, there were none.

Chair Ellsworth entertained a motion. **Commissioner Berlin** stated that “**Madam Chair**, I move to recommend that the **City Council** adopt **Legislative Amendment LA 24-02**, based on the Analysis and Findings in the staff report as presented, with the edits relating to cart separation that were discussed tonight.” **Vice-Chair Hernandez-Mejia** seconded the motion. **Chair Ellsworth** asked for those in-favor and the note was unanimous in approval. Therefore, the motion for recommending **Legislative Amendment LA 24-02 to City Council** was approved. **Planner Handel** asked **Chair Ellsworth** to verify that the change mentioned was for the cart separation spacing was from 5 ft to 4ft and she said yes. **Director Kerr** stated that there will be another public hearing discussing this topic on **June 24, 2024** with **City Council**.

Business from the Commission: **Chair Ellsworth** thanked **Staff’s** hard work for this project and trying to improve Woodburn and she thanked the community for coming out to voice their support, concerns, and opinions.

Updates from Staff: **Director Kerr** had a few announcements. The next **Planning Commission Meeting** will be on June 13, 2024. There might be two items: one will be an annexation and the other one will be a design review.

Director Kerr also provided some updates on a few projects. **Chick-fil-A** has broken ground and is currently doing their grading permit and building permits are about finished, with an approximate timeframe of a month or two to get a building up.

Director Kerr mentioned having more residential development on Parr RD, specifically the last phase of **Smith Creek**. **Commissioner Berlin** asked about the status of **Boones Phase 6**. **Director Kerr** stated that **Boones Phase 6** hasn’t turned in any building permits yet and that **Boones Phase 6** would need to make some improvements first, prior to applying for building permits.

Lastly, **Director Kerr** talked about **Dove Landing**, which is located on the West side of Boones Ferry RD. It’ll be 171 units and **Staff** is currently in review of some of their building permits.

Adjournment: **Chair Ellsworth** entertained a motion. **Commissioner Lassen** motioned to adjourn the meeting. **Vice-Chair Hernandez-Mejia** seconded. **Chair Ellsworth** called for a vote, and it was unanimously in-favor. The meeting was adjourned around 7:55 p.m.

Approved _____
Lisa Ellsworth
Chair of Planning Commission
City of Woodburn, Oregon
Date _____

Attest _____
Chris Kerr, AICP
Community Development Director
City of Woodburn, Oregon
Date _____