

APPROVED
MINUTES
PLANNING COMMISSION
October 14, 2013, 7:00 PM
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners Tyler Smith, Charles Kocher, John Proctor, John Savory, Shawn Hensley and John Serlet
ABSENT: Commissioner Sean Joyce
STAFF: Bryan Brown, Planning Director, Angie Lehnert, Associate Planner, Renate Mengelberg, Economic Development Director, Jamie Stickel, Main Street Manager, Councilor Ken Rider. Laney Fouse, Planning Staff
OTHERS: David Van Tassel, Al Tate

1. CALL TO ORDER

Chair Smith called the meeting to order at 7 pm.

2. CITIZEN INPUT ON NON-AGENDA ITEMS - None

3. PUBLIC HEARINGS – None

4. NEW BUSINESS

- a. Chair Smith welcomed newly appointed Planning Commissioner John Serlet.
- b. Review and Discussion of Draft Street (Mobile) Vendor Ordinance (i.e. Food Trucks/Carts)

Bryan Brown, Planning Director entered his staff report into the record and presented discussion material for the Draft Street (Mobile) Vendor Ordinance.

Several questions arose in the first round of discussion by the Commissioners about the Street (mobile) Vendor Ordinance. While there was some support for entrepreneurship that mobile street vending would bring, there was also some hesitation for problems that might arise if they are allowed.

Commissioners agreed the ordinance would need to include design standards which would help ensure well-managed and attractive carts without imposing restrictions and driving up the associated fees which could potentially make complying with the ordinance cost prohibitive for small-scale vendors.

There was discussion to exclude mobile vendors from public rights-of-way because of the possible legal issues of allowing a business to operate on City property for personal profit without compensation to the City. The Planning Director noted that City's that have successfully allowed use of the public rights-of-way have most often done so when invited due to special events. There was also discussion around allowing mobile vendors to set up on private lots, provided the owner of the property agrees and the ordinance standards have been met. Also discussed were time limit constraints, safety and sanitation standards, accommodating other possible retail vendors rather than just food and beverage vendors (i.e. arts and crafts or retail nurseries) and whether mobile vendors should be charged the same fees that other businesses are charged such as Parks and Transportation System Development charges.

David Van Tassel, who is the owner of a mobile food production (manufacturing) commercial kitchen which produces salsa, said he has been trying to get his business going for the last 8 years. Mr. Van Tassel had previously approached Planning staff for permission to install a permanent food manufacturing cart on private property owned by Cutsforth Thriftway but the City does not have a process to permit that type of mobile operation on a permanent basis. It was decided that Mr. Van Tassel could either operate as a home business or for staff to explore an alternative ordinance solution separate from the draft Street Vendor ordinance as a possible

way for him to operate, recognizing that since his business does not involve vending from his mobile facility it really does not fit well with the draft Street Vendor ordinance.

City of Canby Economic Development Director Renate Mengelberg spoke in favor of mobile street vendors. She said she sees these mobile vendors as a great entrepreneurship opportunity because it adds new products and services to the marketplace, demonstrates and responds to a demand, it meets a niche or goes out of business, generates activity in our downtown and makes the area interesting and vibrant. Ms. Mengelberg agrees there is a need to establish standards because the carts do not have to be trashy and unattractive.

Jamie Stickel, Main Street Manager said she agreed with Ms. Mengelberg and that street vendors would bring more choices to the downtown and some of these businesses do turn into brick and mortar businesses. She said she is all for rules and regulations to help keep Canby beautiful and there are ways to make the food carts fit a standard and they would be a fun addition to Canby.

Al Tate, Canby resident, said he agreed there are two separate issues, one dealing with food carts and the other one a production facility. He said he was not in support of food carts.

Chair Smith said since it was not an official public hearing and they could not take any official action to pass anything, that he would entertain a motion to table this for continued review at the next Planning Commission meeting where a possible decision on if and how to move forward might be made.

Commissioner Savory moved to table the issue of the Draft Street (Mobile) Vendor Ordinance until the next Planning Commission meeting, Commissioner Serlet seconded the motion. Motion passed 6/0.

5. FINAL DECISIONS - None

6. MINUTES - August 26, 2014 – Minutes

Commissioner Hensley made a motion to accept the minutes as presented, Commissioner Savory seconded the motion. Motion passed 6/0.

7. ITEMS OF INTEREST/REPORT FROM STAFF

- a. Next Planning Commission meeting – Monday, October 28, 2013 – Public Hearing on a proposed Minor Land Partition (MLP 13-03) from Jason Bristol to partition a .41 acre site located at 658 NE 10th Avenue into three (3) parcels.
- b. New Planning Commission handbook
- c. Mobile Street Vendor draft ordinance – make modifications at next meeting
- d. Dec. 23, 2013 – Planning Commission meeting may be cancelled if items can be successfully shifted before or after that date.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT - Commissioner Savory moved to adjourn, Commissioner Hensley seconded, and motion passed 6/0. Meeting adjourned at 8:43 pm.