



**PUBLIC NOTICE**  
**LAKESIDE PLANNING COMMISSION AGENDA**  
**THURSDAY MARCH 7, 2024 @ 6:00 pm.**  
**CITY COUNCIL CHAMBERS, 915 NORTH LAKE ROAD,**  
**LAKESIDE, OR.**

*"The Mission of the City of Lakeside is to serve the citizens of our community with responsibility, transparency, integrity, and dedication".*

In accordance with HB2560, the City of Lakeside, to extent reasonably possible, will make all meetings accessible remotely via Zoom and provide the opportunity for citizens to submit oral testimony during the meeting and written testimony by emailing [cityhall@cityoflakeside.org](mailto:cityhall@cityoflakeside.org) by 4:00 p.m. on the day of each regularly scheduled council meeting.

Zoom call in information:

Meeting ID: 444-313-9923

Numeric Password: 611328

Regular phone users should dial into zoom at 408-638-0968 And then put in ID and Password when prompted by voice

- 1 Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment: *Visitor Comments are the opportunity for the community to present information or speak on an issue not on the agenda or on agenda items that do not include public hearings. Comments are limited to three minutes for each person. To speak to an agenda item in person you must fill out a speaker request form at the meeting and will then be recognized by the Chair to provide your comment. The Chair may reduce the time limit per speaker depending on the number of speakers. Videos are not turned on for this portion of the meeting and visitor microphones are muted throughout the meeting, with the exception of the allotted three minutes. Visitors may state their comments and should not expect the Commission to engage in back-and-forth dialogue regarding the comments.*

*Public hearing testimony will be taken during the public hearing and not under Visitor Comments. During public hearing agenda items, the Chair will announce a separate procedure for the Commission to hear public testimony relating to the subject matter of the hearing*

5. Approval of February 1, 2024 Minutes
6. Planning Commission creation of proposed Food Truck Ordinance to future City Council
7. Setting Agenda for April Planning Commission Meeting
8. Staff/Commission comments:
9. Adjourn- Next meeting; April 4, 2024

*The above meeting is open to the public. The Lakeside City Hall is handicapped-accessible. Lakeside*

*is an Affirmative Action/Equal Opportunity Employer and complies with Section 804 of the Rehabilitation Act of 1973. All Meetings are recorded and kept on audio media.*

**THERE IS A FULL NOTEBOOK OF RESEARCH AND NOTES ON FOOD TRUCK ORDINANCES AVAILABLE TO REVIEW IN THE COUNCIL CHAMBERS DURING NORMAL BUSINESS HOURS**

**A FIVE PAGE UPDATED VERSION OF PREVIOUS WORK BY THE PLANNING COMMISSION IS IN THIS MEETING PACKET AND IT WILL BE THE PRIMARY DOCUMENT USED FOR DISCUSSION AND MOVING FORWARD ON THE CREATION OF DRAFT ORDINANCE**

# City of Lakeside Planning Commission Meeting Minutes February 1, 2024

---

The Lakeside Planning Commission held a meeting at Lakeside City Hall, 915 North Lake Road, Oregon at 6:00 p.m. on February 1, 2024.

1. **CALL TO ORDER:** Chair Crouch called the meeting to order promptly at 6 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

**PRESENT:** Chairman Mark Crouch; Commissioners Karl Granzow, Randy Thomas and David Smith.

**ABSENT:** None

**STAFF PRESENT:** City Recorder/Manager Rick Hohnbaum;

4. **Citizens Comments:**

Patrice James spoke about the draft codes which she feels are to restricted to businesses while the LBO is actively trying to increase local business opportunities. Sara Coats rose to speak about required permits being needed so far in advance. She expressed concern about having events on gravel locations and inquired about whether the vendors have to also get a business permit from the city.

5. **Approval of January 4, 2024 PC Minutes:**

Chair Crouch moved to approve the minutes of January 4, 2024 and Commissioner Granzow seconded the motion. Aye: Crouch, Granzow, Thomas, Smith. Approved 4-0. Chair Crouch shared the process of first reviewing the existing information from previous work to get everyone up to speed.

6. **Status, Review and Discussion of Food Truck Ordinance for the City of Lakeside**

Chair Crouch shared the process for reviewing the information previously collected and shared. Chair Crouch and Mr. Rob Ward shared the history of this issue being brought forward to the planning commission from an effort initiated by the previous city manager. Chair Crouch shared that the planning commission would prepare legislative code for review and then forward to the city council stating that we are currently about halfway through the planning commission process. Reading from previous planning commission minutes Chair Crouch shared "reasonable controls" for safety of food truck operations within Lakeside. Chair Crouch shared an article written by Beth Humstone about food truck policies and the many issues about non-brick and mortar facilities. Chair Crouch shared the highlights from March 2023 Planning Commission minutes to the Planning Commission, staff, 16 in person attendees and 4 people on the zoom system. Chair Crouch also presented the model code which has already passed legal review as highlighted as a valued tool in our efforts to create the Lakeside code. A brief review of food truck codes from other cities (Coos Bay, North Bend, Eugene, Stayton) was shared by the chair.

# City of Lakeside Planning Commission Meeting Minutes February 1, 2024

---

The commission reviewed the minutes from May 4<sup>th</sup> where the commission decided to use the model code example and to add special events section to the code. A review of the May minutes was held by the commission to review and remind people of the previous discussions and ideas and concerns presented in May. (7:03pm)

Concluding the data sharing, Chair Crouch invited Commissioners Thomas and Granzow for their input and recollections of the previous conversations and work completed. A question was asked if the Planning Commission was trying to make it more restrictive and Chair Crouch shared they are looking to make a code that is "right" for Lakeside and it was a balancing act.

Mr. Rob Ward shared his perspective to consider code for 3 different situations such as being a part of an event, public property or private property. The Planning Commission started a review of the previous draft, a four-page document from the previous discussion by the commission.

## **7. Planning Commission creation of proposed Food Truck Ordinance to future City Council**

Discussion was held regarding required hookups for water and sewer and definition of transient businesses. An unresolved issue was the number of days allowable for a food truck to be in the same location ranging from seasonal, 1 week or 1 month. Shirlee Bee commented that the previous discussion included longer time period such as 45 days was discussed.

Future discussion about the length of time for location will be a future discussion based upon the whole of the code. The commission discussed temporary uses and definitions including mobile food units and seasonal sales (Christmas Trees).

Commission discussed potential additional drafts and that progress has been made getting everyone on the same page.

**8. Staff/Commission comments:** Chair Crouch led the commission and staff in a discussion of future agenda items for the planning commission and the consensus of the commission was March was same subject. Commissioner Smith thanked the level of involvement of people

**9. Recommendations to City Council:** Appoint another commissioner, please.

**10. Adjournment:** Chair Crouch adjourned the meeting at 7:34 p.m.

**Next Scheduled Regular Planning Commission Meeting March 7, 2024: 6:00 p.m.**

The above meeting was open to the public. Lakeside is an Affirmative Action/Equal Opportunity Employer and complies with Section 504 of the Rehabilitation Act of 1973. All meetings are digitally recorded, available for viewing at City website: [www.cityoflakeside.org](http://www.cityoflakeside.org).

Signed/initialed \_ RAH

Code draft for transient businesses with a subsection for mobile food units.

The subsection for mobile food units should not allow for drive-through service, and should include as an option for discussion both temporary and permanent placement

Color code: **Yellow** indicates that the Commission needs to agree on a parameter

#### **Definitions to be added to MC155.075:**

Mobile food unit: Any device, propelled or powered by any means, that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway, on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.

Transient business: A business that operates in the city and has no fixed permanent location from which the business is conducted. Occupation of the location for 45 consecutive days constitutes a permanent location. "Transient business" does not include service work where the operator drives to a particular premises in order to perform a specific service; examples include but are not limited to landscapers, yard maintenance workers, plumbers, etc.

#### **MC155.xxx. Temporary Uses**

Temporary uses are characterized by their short-term nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: construction trailers, leasing offices, temporary carnivals and fairs, mobile food units, parking lot sales, retail warehouse sales, seasonal sales such as Christmas tree sales and vegetable stands, and similar uses. This Code contains permit procedures for three types of temporary uses: Special Events; Temporary Sales Offices; and Temporary Buildings, Trailers, Kiosks, and Other Structures, as follows:

**A. Special Events.** The City Administrator shall approve, approve with conditions, or deny an application for a Special Event Permit, based on the following criteria:

- I. **Special Event Permit required.** Any temporary use that involves any of the following shall require a Special Event Permit:
  - a. A gathering of 150 or more people, located in whole or in part on public property or a public right-of-way; or
  - b. A gathering or an event that involves the intent of sales or services to the public, outside of the host's normal business, program or activity; or
  - c. Admission is controlled by donations, entry fees or tickets (festival type events, concerts, runs, walks, races, contests); or
  - d. Participants are charged an entry fee (vehicles, cyclists, runners, vendors); or
  - e. Event is advertised to the public, with or without a fee (dog shows, car shows, etc.); or
  - f. Food is being prepared and served for consumption by the public at the event; or
  - g. Alcohol will be served on public property; or
  - h. Tents or canopies exceeding 144 square feet will be erected; or
  - i. Fencing or traffic control will be required on public streets or public property; or

- j. Signs, certified flagger or police are needed to control or direct traffic; or
- k. A stage or similar structure is to be built on or delivered to the site.

2. Duration/frequency. The Special Event does not occur for more than 45 cumulative days per calendar year.
3. Permit application.
  - a. A complete application and payment of event permit fee has been received by the City no less than 60 days prior to the beginning of the event.
  - b. The applicant, if different than the property owner, must provide proof of the owner's permission to place the use on the property with the application.
  - c. Application must be accompanied by information sufficient to insure that the event is compliant with permitting requirements at the time of application.
  - d. The City Administrator shall issue a decision on any special event application, that fully satisfies the conditions (a) through (c) above, within 30 days of receipt.
4. Ingress and egress. Ingress and egress conform to the requirements of MC155.260.
5. Visual clearance. Use does not violate visual clearance codes. (MC155.052)
6. Parking. There is sufficient parking to accommodate the temporary use and other uses existing on the site.
7. Off-site impacts. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare, or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use.
8. Sanitation.
  - a. The use is adequately served by sewer or septic system and water, as applicable.
  - b. Restroom and hand washing facilities are sufficient.
  - c. Trash receptacles and disposal are sufficient and do not involve the use of City waste receptacles.
  - d. Resources and plan for post-event site clean-up are adequate. The City Administrator may elect to require that the event organizer post a bond to insure post-event site clean-up is completed.
9. Licensing. The applicant shall be responsible for acquiring and maintaining all required licenses and permits.
10. Mitigation of liability/insurance. The applicant shall:
  - a. Enter into a hold-harmless agreement with the City of Lakeside.
  - b. Obtain Comprehensive General Liability for the event, with limits of not less than \$1 million and listing the City of Lakeside as an additional insured.
11. Appeals. Any appeal of a decision by the City Administrator with respect to an application for a special event permit shall be made to the City Council.

**B. Temporary Sales Office for subdivisions.** The City Administrator shall approve, approve with conditions, or deny a temporary use application for a Temporary Sales Office for the purpose of facilitating the sale of real property within the City. The use of any real property within the City as a temporary sales office shall meet all of the following criteria:

1. Location. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is to be sold.
2. Allowed permanent structures. The property to be used for a temporary sales office shall not be permanently improved for that purpose, unless the building used as a temporary sales office also serves as a model home designed as a permanent structure that meets all relevant requirements of this Code and other applicable codes and permit requirements.
3. Utilities. Public health, safety, and welfare shall be protected through conditions imposed by the City, regarding temporary utility connections.

**C. Temporary Buildings, Trailers, Kiosks, Mobile Food Units and Other Structures.** [Unless part of a Special Event that has received a permit from the City], the City Administrator shall approve, approve with conditions, or deny an application for a placement and use of a temporary building, trailer, kiosk, mobile food unit or other structure, based on following criteria:

1. Location. [Unless part of a Special Event that has received a permit from the City], a temporary building, trailer, kiosk or other structure may be located:
  - a. In zones where the building or use would be allowed as a permitted use; or
  - b. In zones where the building or use would be allowed as a conditionally permitted use, and such conditional use permit has been obtained; or
  - c. In non-residential zones, where the building or use would not be allowed as a permitted or conditionally permitted use, for no more than 3 hours]; or
  - d. In residential zones as long as the stay in one location is no more than 15 minutes.
2. Siting requirements.
  - a. The location is within a hard-surfaced area (e.g., concrete or asphalt, not dirt or gravel).
  - b. The location shall not be within a sidewalk.
  - c. The location shall not be within 20 feet of an intersection.
  - d. The location of any transient business shall not be within 10 feet of the entrance of any permanent business, unless the temporary structure is being placed with the permission of the owner of that permanent business.
  - e. The location of any transient business shall not be within 50 feet of the entrance of any competing permanent business.
  - f. Siting on public property is permitted only during, and as part of, a permitted special event.

2. Property owner authorization. The applicant, if different than the property owner, has proof of the owner's permission to place the use on the property.
3. Lot standards. The lot development standards of for the underlying zone are met.
4. Ingress and egress. Ingress and egress are adequate and do not raise safety concerns when the proposed use is combined with the other uses of the site, pursuant to MC155.260.
5. Visual clearance. The use does not conflict (i.e., create a nonconformity) with the provisions of MC155.052 (Visual Clearance).
6. Parking. There is sufficient parking to accommodate the temporary use and other uses existing on the site, pursuant to MC155.250-.256 (Off-Street Parking Requirements).
7. Drive-through service. The use shall not utilize drive-through service. Only pedestrian (walk-up) traffic is allowed.
8. Off-site impacts. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare, or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use.
9. Utilities.
  - a. The use is adequately served by sewer or septic system, water, and electricity, as applicable.
  - b. Utilities can be connected temporarily to such service without the placement of lines, wires, pipes, hoses or similar temporary utility connection infrastructure across a sidewalk or similar designated pedestrian walkway.  
The use of internal combustion engine electrical generators is not permitted.
10. Maintenance of walkways. Use on or adjacent to a sidewalk or other designated pedestrian way shall maintain at all times a minimum unobstructed pedestrian passage area of 36 inches, and avoid creating safety hazards for pedestrians and vehicles.
11. Unattached signage. One sandwich board type sign may be placed on the right of way adjacent to the use, subject to the 36-inch pedestrian passage clearance indicated above.
12. Precedence of special events. Should the time and location of the approved temporary use or structure intersect with the time and location of an approved and permitted special event, the use or structure must vacate the area subject to the event permit, unless separate approval has been granted by the event operator.
15. Alcohol. The sale or consumption of alcohol shall not be permitted at the location of a temporary use or transient business[, except in instances where such has been specifically approved as an aspect of a special event permit application].
16. Sound amplification. No amplification of sound shall be permitted by transient businesses. A



music player is acceptable as long as the sound does not extend beyond the immediate vicinity of the transient business and does not generate complaints from neighboring businesses, customers or community members.

17. Building codes. The structure complies with applicable building codes.
18. Duration of placement of temporary structure. Except where specifically authorized by the City Administrator, the length of time that the temporary structure may remain on a site shall not exceed 3 consecutive months or a total of 6 months in any one calendar year.
19. Licensing. The applicant has obtained and will maintain all required licenses and permits, including a Lakeside business license and/or right-of-way use permit, as applicable.
20. Litter Cleanup. The applicant for any temporary use shall keep the area within 25 feet of the temporary use clean and free of litter, and dispose of the litter in their own container/receptacle. Use of City trash receptacles for trash from temporary uses is prohibited.
21. Visual appearance from street. All items visible from the street shall be kept in good repair and be maintained in a safe and clean condition.
22. Fire Inspection. Any temporary use involving flammable materials or fuels shall pass a fire safety inspection; or the local fire department shall indicate that such inspection is not required.
23. Conversion of transient business to permanent business. A transient business that occupies a single location for a period in excess of 45 consecutive days is considered to be permanent. Any transient business which becomes permanent must be:
  - a. Permanently connected to sewer, water and power, as applicable.
  - b. Illuminated with downcast shielded lighting when operating during hours of darkness.
  - c. Considered as a new commercial development and subject to all requirements for a new commercial development.
24. Appeal. Appeals to denial or imposition of conditions of use regarding an application for a temporary building, trailer, kiosk, mobile food unit or other structure shall be made to the [City Council/Planning Commission].