



PLANNING COMMISSION MEETING
April 4, 2016
CITY HALL ANNEX - COUNCIL CHAMBERS
1140 12TH AVENUE

PUBLIC HEARING

PUBLIC HEARING CALL TO ORDER AT 6:30 PM

PLEDGE OF ALEGIANCE

ROLL CALL ATTENDING:

James Goble	Henry Wolthuis	Eva Jurney	Ned Kilpatrick
Greg Stephens	Edith Wilcox	Lance Gatchell	

STAFF:

Laura LaRoque, Planning Services Manager, Katie Wilcox, Planning Assistant

REGISTERED VISITORS:

Mike Remesnik, City Building Inspector
Sean Anderson, of the New Era 1313 Main St, Sweet Home, OR 97386
Kyle Latimer, of Udell Engineering & Land Surveying LLC, 63 E Ash St, Lebanon, OR 97355

Chairperson Goble opened the floor to hear comments from the public not concerning the Land Use hearing for application P 16-03/VR 16-03.

City Building Inspector Mike Remesnik asked that the Planning Commission review the manufactured dwelling codes, both in parks and on individual lots. He explained that he has talked with the BCD (Building Codes Division) and they informed him that the City can implement codes as long as they submit the codes to the BCD, so that they may confirm there are no conflicts with State or National Codes. He suggested that the Planning Commission select a date of construction that anything older may not be set, such as 1990. He stated that the manufactured homes built before 1990 do not meet any codes, such as structural, mechanical, or electrical. He stated that about half of the manufactured homes built after 1990 meet the code and manufactured homes built from 2000 on meet code. He stated that the structures older than 1990 do not meet fire code and they are constructed of materials that are very combustible. He stated that the older structures generally do not meet egress requirements and are dangerous. He asked that the Planning Commission review the codes to make it safer for people to live in these structures. He expressed his appreciation and thanked the Planning Commission for hearing him.

Planning Services Manager LaRoque explained that this is a large subject and if the Planning Commission wants to consider discussing it she recommends that it be brought up in a work session that could be scheduled before the next meeting, or whatever date they prefer.

Chairperson Goble asked the commissioners if they would like to do a work session and discuss the topic.

Commissioner Wilcox said that she would like to.

Vice-Chair Wolthuis requested that the discussion be put on an agenda for the next meeting, and that the Planning Commission receive some materials in advance to study.

Planning Services Manager LaRoque explained that the Planning Commission could discuss the issue broadly before the May meeting. She explained that if they wanted to discuss it at the May meeting she recommends scheduling a block of time for a work session before or after the meeting. She explained that there are a few Land Use hearings on the agenda for that evening. She went on to say that they could have a more in depth, or more defined discussion if they pushed it out two months.

Commissioner Journey asked how much time the staff would need to get something on this topic ready for review.

Planning Services Manager LaRoque suggested that the Commission first review the code, discuss the strengths and weaknesses, and then discuss which changes they may want to make at that time, if any. She explained that after that discussion she could do some research and come up with examples of possibilities and alternatives.

Chairperson Goble asked if the scheduling would be handled by email.

Planning Services Manager LaRoque said that she could schedule the first discussion prior to next month's Planning Commission Meeting. She asked if starting at 6:00pm and spending half an hour on the subject worked for everyone.

The Commissioners all nodded in agreement.

APPROVAL OF MINUTES: February 1st, 2016

Chairperson Goble asked if everyone had a chance to review the minutes and if there were any changes or corrections.

Commissioner Gatchell noted that the minutes need correction. He said the motion at the end of the hearing was not made by him as he was absent. He said he does not know who made the motion.

Commissioner Stephens said he believed he made the motion but was unsure.

Planning Services Manager LaRoque said that staff would review the recording.

Planning Assistant Katie Wilcox said she would make that correction.

Chairperson Goble said they would hold off on the approval of the minutes for now.

Chairperson Goble summarized the agenda items.

PUBLIC HEARING OPENED AT 6:41PM

- **Partition/Variance Application File No. P 16-03/VR 16-03: Applicant Joseph Ennis requests a Partition to divide two existing parcels into three parcels. The applicant also requests two variances to allow Parcel 3 to be 7,487 square feet instead of the required 8,000 square foot lot area minimum and to allow Parcel 3 to be 76 feet wide at the north property line and 73.74 feet wide at the south property line instead of the required 80 foot lot width minimum, in the Residential Low Density (R-1) zone. The subject property is comprised of 1326 40th Avenue, also known as Linn County Assessor's Map 13S-01E-28C Tax Lot 01600 and 1340 40th Avenue, also known as Linn County Assessor's Map 13S-01E-28C Tax Lot 01601.**

Planning Services Manager LaRoque went over the hearing disclosure statement and explained the process for the Public Hearing

Chairperson Goble asked Commissioners if they had any of the below stated in regards to the application, Land Use file, Partition/Variance Application File No. P 16-03/VR 16-03;

Personal Bias: None

Conflict of Interest: None

Exparte: None

Planning Services Manager LaRoque briefly explained the staff report and background information of the property. She then reviewed the approval criteria as well as conditions of approval that are applicable to partition and variance requests.

Commissioner Stephens asked for verification that parcel three does not meet the minimum square footage requirement but the length does meet the requirement.

Planning Services Manager LaRoque said yes.

Planning Services Manager LaRoque continued to explain the staff report and history of the property. She then explained the findings for the Planning Commission to take into consideration when making their decision. She noted the application narrative, and explained

the applicant is trying to increase density in that area but there is another way to do that without seeking a variance.

Commissioner Gatchell added having two lots instead of three would not require a variance.

Planning Services Manager LaRoque agreed and went on to say that there was no other adverse impact to the neighborhood. She also said that the narrative noted that some surrounding properties do not meet the minimum lot requirements either. She then asked for questions from the Commission.

Commissioner Stephens asked about the driveway in parcel one.

Planning Services Manager LaRoque explained that it was an existing driveway.

City Building Inspector Mike Remesnik asked if he may explain.

Planning Services Manager LaRoque said yes.

City Building Inspector Mike Remesnik said that the driveway is actually a firetruck turn around.

Planning Services Manager LaRoque said it was a condition of the subdivision when it was platted.

Commissioner Stephens asked what would happen with it when the property becomes a new lot.

City Building Inspector Mike Remesnik said it would have to remain.

Planning Services Manager LaRoque stated that would be a good question to ask the applicant, and how they would approach that. She said that as Mike Remesnik stated, it was designed as a turnaround.

Vice-Chair Wolthuis asked if it is a turnaround could the homeowner park cars there.

City Building Inspector Mike Remesnik said that they could use the space for parking, but it has to remain as a fire turnaround.

Chairperson Goble asked if there were any other questions for staff from the commissioners and with none thanked Laura. He then went on to explain the process of hearing testimony and rebuttal during the hearing.

Chairperson Goble invited the applicant Joseph Ennis to speak, or the applicant's representative.

Kyle Latimer, of Udell Engineering explained that he would be representing the applicant, Joseph Ennis, as he could not be present for the hearing. He stated that he did not have much to add to what Laura had already explained in the report and that he would be happy to answer any questions the Commission may have for him at this time. He added that they feel that the proposed partition is proposed in the same manner as other developments in the area. He stated that he believed it would have been developed differently in 1998 had Osage been developed at that time, and there would have been no need for a flagstrip property. He then asked the commission if they had any questions for him.

Commissioner Stephens asked about the firetruck turnaround.

Kyle Latimer stated that he believed it was reserved as an easement that would have to remain unless the City approved another turnaround, based on state fire code. He also explained that he believed that it cannot be used for parking, that it has to be a dedicated no parking space of 70 feet by 20 feet.

Commissioner Stephens asked how much square footage is within the turnaround area.

Kyle Latimer stated it was approximately 1,400 square feet.

Commissioner Stephens then stated that they would then be losing 1,400 square feet off of a 8,000 square foot lot.

Kyle Latimer agreed.

Vice-Chair Wolthuis stated that if Osage was extended at a later date he believed the turnaround could be removed.

Kyle Latimer said it could be if there was through traffic or another turnaround provided for access.

City Building Inspector Mike Remesnik said that Osage will not be extended in the future because the road dead ends and there is no other place to put a turnaround.

Commissioner Journey asked if there had been consideration of creating two parcels instead of three and if so what that discussion was and thought process.

Kyle Latimer said that originally it was discussed to reconfigure the existing two parcels, but that it was in the applicant's best interest to attempt to maximize the use of the property. He stated that they realize it is non-conformant, but not by much, so they wanted to bring their proposal before the commission for consideration.

Commissioner Journey stated that had they configured only two lots, there would have been no need to ask for variances.

Kyle Latimer agreed and stated that it would have just been a property line adjustment and replat.

Commissioner Journey asked if the turnaround easement would affect the conditions of the newly proposed lot.

Planning Services Manager LaRoque stated that as long as they were able to meet the setback requirements the turnaround would not affect anything, but she would need to see development plans in order to determine that, which none were submitted at this time.

Commissioner Journey asked if technically there is a possibility to work with the property that is there to develop it within setbacks.

Planning Services Manager LaRoque stated that it was possible.

Commissioner Stephens asked to have Commissioner Journey's question and the answers from Planning Services Manager LaRoque repeated.

Planning Services Manager LaRoque explained that Commissioner Journey asked what implications the turnaround would have on parcel one. She went on to explain that it would be speculative because there was no development plans submitted, however the applicant does have the potential to meet all the setback requirements for placing a home with the turnaround on that lot.

Commissioner Stephens asked if it also applied to the total lot coverage percentage.

Planning Services Manager LaRoque explained that driveways or uncovered area is not calculated in lot coverage. She went on to say that they only consider covered square footage as far as what has roofing material. She then said that the parcel would have the potential to not exceed the lot coverage if developed.

Chairperson Goble asked if there were any other questions.

Commissioner Journey asked if the development north of Osage is also non-conforming, do they know the date of when that was approved. She explained she had concerns with a precedent having been set in the neighborhood and how much that should play as a factor with the property presented to them in the current application. She explained that because a surrounding property is non-conforming it should not be just cause to allow another property to become non-conforming.

Planning Services Manager LaRoque explained that the issue was not listed in the staff report because it is not one of the considerations or criteria for approval, but it was noted on the applicant narrative and thought she would bring that to light. She went on to say that the commission would be looking at the criteria set forth in the plan review and also the zone criteria stated in the staff report. She also stated that the commissioners should be reviewing the parcel in itself on its own merit.

Vice-Chair Wolthuis asked that looking at the parcels on the other side of the street, could he assume that curbs and sidewalks would be a given.

Planning Services Manager LaRoque explained that they would be upon development, such as when a house or structure is proposed.

Kyle Latimer stated that he believed curb and gutter are in place on both sides of the property, but sidewalks would be required.

Planning Services Manager LaRoque mentioned that the only thing that was noted through the staff review was that they recommend an easement for future sidewalks, currently to what is already in place on the north side of lot 1600. She went on to say there are currently two parcels there and staff is requesting to have a sidewalk easement put in place should this tentative plan be approved.

Vice-Chair Wolthuis asked if he understood correctly that when asking for an easement for sidewalks if the sidewalks will be placed on the property side of the street, on private property.

Planning Services Manager LaRoque mentioned that there is currently a 32 inch sidewalk easement on the north side of lot 1601, just due to the proximity of the curb to the property line, so staff is asking for a like easement to be required on lot 1600. She stated that it may be a partial encroachment onto the private property to continue with the curb and sidewalk that is already in place.

Chairperson Goble asked if this was something that, if approved, would be placed in a motion.

Planning Services Manager LaRoque said that it would be a condition of approval.

Chairperson Goble asked if there were any more questions for Kyle Latimer at this time. There were no questions at that time.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

Rebuttal: None

PUBLIC HEARING CLOSED AT 6:59 PM

Planning Commission Discussed the Application

Motion by Vice-Chair Wolthuis, based on the findings and fact, for the Land Use file P 16-03/VR 16-03, Partition/Variance Application of Joseph Ennis in regards to property address 1326 40th Avenue, also known as Linn County Assessor's Map 13S-01E-28C Tax Lot 01600 and 1340 to approve the following proposed request. 1) To grant the proposed partition to divide two existing parcels into three parcels. 2) To grant the variances to allow Parcel 3 to be 7,487 square feet instead of the required 8,000 square foot lot area minimum and to allow Parcel 3 to be 76 feet wide at the north property line and 73.74 feet wide at the south property line instead of the required 80 foot lot width minimum, in the Residential Low Density (R-1) zone. Also to be included is the obligation to include an easement for sidewalks at the time of development.

Second by Commissioner Journey

Question was called

Aye (6)

Chairperson Goble, Commissioner Journey, Commissioner Wilcox, Commissioner Gatchell, Vice-Chair Wolthuis and Commissioner Kilpatrick

Nay (1)

Commissioner Stephens

Motion Passed 6 Ayes to 1 Nay

Chairperson Goble asked Planning Services Manager LaRoque to go over the other items of business on the agenda.

Planning Services Manager LaRoque explained that she had a couple of request to put before the Commission for consideration. She explained that the City of Sweet Home was recently awarded a technical assistant grant by the Oregon Department of Land Conservation and Development. She said this grant will be used to update one of their comprehensive plan documents which is titled Economic Opportunity Analysis (EOA). She went on to explain that a component of the analysis is based on community input to make sure the technical research is grounded with local truth. She said she would like to request that one or more Planning Commissioners take part in that process. She explained that the EOA has two primary goals. She said the first goal is to identify competitive advantages for economic development in Sweet Home. She explained that they would be looking at location advantages, natural resource advantages and anything that comes into play for economic development in Sweet Home. She went on to say that these things can be looked at in many different ways, including looking at what kind of space Sweet Home has in the city and what national and local trends are happening in the city. She said those items would be evaluated at a 20 year time frame and presented to the City and project advisory team. She said she hopes that some of the planning commissioners would be a part of that team. She went on to explain that the goal of that team

is to hear the findings of those results and see if it makes sense for Sweet Home, or if it fits in with the local community of Sweet Home. She then explained that the second part of the EOA is to determine if there is enough land to accommodate what, those trends are saying, would be coming to Sweet Home. She stated that specifically they will be looking at commercial and industrial land, and make sure there is the right land mix for those uses. She spoke of an example, a parcel that exists in Sweet Home that is zoned industrial but has a lot of wetlands on it. She explained that they would evaluate properties like that one to decide if the zoning fits with the land or if there are better properties that would better allow development. She then reiterated that it is a two-fold process, looking at the local and national trends coming up on the horizon and then assessing the land in Sweet Home to see if it is zoned correctly to accommodate those trends. She said that another component is economic development strategy, which is more than looking at the data and the land. She said that it would be developing, as a community, goals and tools to be used to achieve some of our economic development goals. She stated that she believes it will be a very interesting and exciting project. She stated that she would like to make a request that a Planning Commission member join that team. She explained that a decision to participate did not need to be made immediately, and that she has information for interested commissioners to review before deciding if they had interest.

Commissioner Gatchell asked what the time commitment would be.

Planning Services Manager LaRoque explained that the grant project is projected over two years while the advisor believes it can be completed in less time. She explained that there would be at least four check-ins total with the project advisory committee. She stated that there are key points in the project timeline. She went on to explain that first they will be looking at the data to see what properties are zoned with what designations. She said another point would be conducting research on economic trends. She continued to say that there will be another point to check in with the project advisory committee to see if this data makes sense. She said that more meetings will be held to develop an economic development strategy and to review the draft products. She said that they would see the information as it comes in, help the consultant create a document that will guide the community in the future and an opportunity to make sure it fits for Sweet Home. She reiterated that it would be a possible commitment of 4 check-in times over the span of a year.

Commissioner Gatchell asked who else was on the committee.

Planning Services Manager LaRoque explained that currently there are some City Council representatives, a member of the Economic Development Group, the Chamber as well as some citizens that are also interested, that are not necessarily on a city or community board.

Commissioner Gatchell asked if James Goble was one of the councilors involved.

Planning Services Manager LaRoque said that he was not. She added that unless someone wants to sign up at the moment she would plan on reaching out to them in the next couple weeks by email.

Vice-Chair Wolthuis asked if Laura could tell them about the meetings and commitment again.

Planning Services Manager LaRoque said that the commitment was four different check-in times, and the meetings will be scheduled, and more likely happen in the evening hours when people are not working. She explained that the dates are not set yet, but will occur over a year period, and reiterated that it would be a time and date that would work best with all the community members.

Vice-Chair Wolthuis asked if there was a designated size of the committee.

Planning Services Manager LaRoque said that there is not, but that she wanted to make sure there was representation from any board or community group that was a part of economic development currently. She added that as Planning Commissioners they would be play a key part as far as looking at property and zoning designation, so it would make sense to have representation from the Planning Commission.

Commissioner Wilcox said that she would like to participate.

Planning Services Manager LaRoque thanked her and mentioned that there can be more than one representative.

Vice-Chair Wolthuis said that he would join Commissioner Wilcox in participating.

Planning Services Manager LaRoque thanked him and said that it will be really interesting and think that they will enjoy the experience. She went on to add that if others want to join they are welcome to as well. She asked if there were any other questions about that project before moving on to the next proposal.

Planning Services Manager LaRoque said that the next proposal she has to put before the Planning Commission is a code streamlining project. She explained that the proposal came about during some council goal setting. She said that no goals have been officially adopted yet, but one of the goals that came up in discussion was streamlining the development process. She explained that one of the ways to do that is to look at the development code to see if there is anything that needs to be adjusted. She said that overtime these codes grow complex and may become disjointed where some points do not connect as they were intended to when they were first written. She said this happens because things have been added over the years. She explained that State and Federal laws can change and that can have implementation issues with our code, and also process and procedures change overtime. She explained that the code streamlining project would be a two phase project. She said the first phase would be doing a code audit, which would entail an overview of our existing code for subdivisions and the zoning

portions. She said it would be to ensure the structure of it would be easy to comprehend. She explained that things get added over the years and a lot of the times things do not get taken out. She said this process would be to make sure that the structure of the code is set up so it is simple for the community to understand. She said that it would also be to make sure that the code is meeting the state and federal laws that have been adopted over time. She said that they would also be looking at the process and procedures for ways they can streamline the code, such as taking out any unnecessary processes. She explained that going before the Planning Commission is a time issue and also an expense to applicants. She went on to say that if there has been any applications that the Commission thought was unnecessary to be at the Planning Commission level, they could suggest that those types of applications get kicked down to the staff level. She said this could expedite decision time for applicants. She said the fourth part of the code audit would be to make sure that we are matching local market conditions and allowing for creative land use practices. She explained that things like tiny homes are on the rise, accessory dwellings and affordable housing. She said that there will always be new demands for land use that have not been addressed in our existing code, so it may be time to look at that and see if any of those things makes sense for Sweet Home. She added that another step would be removing or modifying any unneeded provisions. She said that there are a lot of conditions that are there, but just do not apply so it makes sense to remove them. She stated that first they can focus on doing a thorough overview of the code, and noting where it can be improved or modified, and then the next step would be if they wanted to take on some code revisions they could choose to do that. She said the first phase should not take long and is anticipated to take six months or less. She explained it would take a couple of work sessions to review the findings and choose a direction on which they would like to move, if there is any code revisions that need to be made.

Commissioner Wilcox asked if the City Council would approve the actions.

Planning Services Manager LaRoque said that Council would need to approve any changes, but the code audit would just be the review process to start some discussions about code revisions to see if there are changes to be made. She asked for the Commissioners' consideration of conducting a code audit in the coming months to start the review process to see if they are improvements to be made to the development process. She asked if she could do it by consensus and asked if there was anyone who was opposed to doing a code audit.

Commissioner Gatchell asked if this is something staff would do or if it would be something a hired contractor would do. He explained that a work session may not be a sufficient way to go through all of the code.

Planning Services Manager LaRoque agreed and said it is a tremendous task. She said staff would not have time to do it on their own through the community development department and instead they would utilize the assistance of a consultant. She explained that they would hire a consultant to do the audit. She said they would have several meetings to discuss what does work with the code and what does not work with the code. She mentioned that the

consultant who is up to date with state and federal codes would come back with a draft and present it to the Planning Commission, as joint findings. She explained that there is a budget approved and City Council does support streamlining the process, so there should be support at the City Council level. She asked if anyone would be opposed to that process.

Chairperson Goble said he is for the project.

Planning Services Manager LaRoque asked if anyone had any more questions or would be opposed to the project.

Commissioner Wilcox said she would support it.

Planning Services Manager LaRoque thanked the Commissioners and said she would proceed with both projects. She said she would be following up with everyone in about two weeks with more information and give an update at the next meeting. She then said there was one more topic that needed to be discussed.

Chairperson Goble said he had something to say and that there were changes happening. He proceeded to read aloud his resignation letter as Chairperson of the Planning Commission.

“Planning Committee Members, It has been my honor to have shared the last 2 years of our time together. I believed then, and I do now, that the Planning Committee plays a vital role in the growth and aesthetics of our community. Just recently, I had become the Planning Committee Chairperson. The actions taken by my fellow Committee members, to vote me into the Chair was an honor. More so a bigger honor to follow Chairman Wolthuis. Our community and fellow committee members have been wonderful to me during this time. Chairman Wolthuis has been there for support, guidance, and knowledge, years before I made the steps forward to help our community at this level. I thank you all and I thank you Chairman Wolthuis. Recently there have been some changes in our City Council. These changes have given me an opportunity to make the next logical step from Planning Committee to City Council. So at this time, I tender my resignation as the Planning Committee Chair and from the Sweet Home Planning Committee effective April 4th, 2016. Thank you all.”

Resignation of Chairperson Goble

Commissioner Wilcox asked if they now needed to select a new Chairperson.

Planning Services Manager LaRoque said that would be up to the Commission, but she would recommend considering it and making a nomination at the next meeting.

Vice-Chair Wolthuis asked if it would be on the agenda for the next meeting.

Planning Services Manager LaRoque said that it can be added to the agenda as the first thing, but there are a few hearings, so it is up to the planning commission. She said if they feel comfortable making a decision today they could, but to remember that at the next meeting whoever is nominated will need to jump right into the hearings.

Commissioner Gatchell asked if that was the role of the Vice-Chair, to step in when the Chairperson is unavailable.

Vice-Chair Wolthuis said that the Vice-Chair is there for when the Chair is not but they certainly have the option of electing a new chairperson, and it should be added to the next agenda.

MEETING ADJOURNED AT 7:32 PM

To the best of the recollection of the members of the Planning Commission, the foregoing is a true copy of the proceedings of the Public Hearings of April 4, 2016

Henry Wolthuis, Chairperson
Sweet Home Planning Commission

Respectfully submitted by: Katie Wilcox, Planning Assistant