

MILL CITY PLANNING COMMISSION
Meeting of May 14, 2010
9:00 AM

Planning Commission members present: Chairman George Long, Vice Chair Nancy Kelle, Ann Carey, Ruth Lemke, Cheryl Lundquist, Sharon Setzer, and Gay Stuntzner. Staff in attendance: City Recorder/Planning Secretary Stacie Cook, and Planning Advisor David Kinney.

Community members present: Jim Girod and Liz Redon.

Gay Stuntzner asked if the minutes can be amended to include the actions that were taken and are planned to be taken as an amendment to the minutes.

Ann Carey moved, seconded by Nancy Kelle to approve the minutes of April 9, 2010. The motion carried unanimously.

OLD BUSINESS:

Buildable Lands Inventory: Mr. Kinney said that Ryan Taylor has completed most of the maps for the buildable lands inventory as well as some of the narrative. There will need to be some editing done of the narrative before it will be presented to the planning commission. Mrs. Cook and Mr. Kinney will schedule a meeting for Mr. Taylor, Mrs. Carey, Mrs. Kelle and Mr. Long to discuss the draft buildable lands inventory.

Mill City Falls Parks Plan – Resolution Draft: Mr. Kinney said that the Mill City Falls Park resolution will be ready for council adoption on June 8th. A short meeting may need to be called for approval of the resolution by the planning commission prior to being forwarded to the council.

Flood Ordinance Revisions – Complete by September 21, 2010: Mr. Kinney said that FEMA has approved the flood information. The city has six months from the date of notification to adopt an ordinance with the approved data.

PUBLIC HEARINGS:	File #2010.03.04	250 NW 9th Ave
	Applicant:	Jim Girod
	Proposal:	Minor Partition

Chairman Long opened the public hearing at 9:26 a.m. and called for potential conflicts of interest, bias or ex parte contact. Being none Chairman Long called for the staff report.

STAFF REPORT: Mr. Kinney said that this application proposed two lots, one with the existing sports store and a second to the south for future building purposes. Mr. Girod dedicated a portion of property with his last planning application to allow for street improvements at the NW 9th and Hwy 22 intersection. The city has a preliminary agreement with ODOT to do further street improvements along Hwy 22. This allows for the city to not require street improvements along the north side of the property by the applicant. However, street improvements along the south side of the property on NW Alder Street will need to be done, either at the time the application is approved or in accordance with a development agreement. Mr. Kinney said that the conditions of approval should include a requirement for a joint parking agreement between the two parcels. A joint access requirement should not be included for the parcel to the east as when it develops there may be a need to grant a joint access requirement at the west edge linking with the Girod property. ODOT has identified the existing Hwy access as being a permanent access within the Oregon 22 Access Management Plan. However, a permit will need to be filed with ODOT to allow the permanent access. The highway access to the east will need to be closed.

APPLICANT'S TESTIMONY: Mr. Girod said that the purpose of dividing the property was to allow for a more economical purchase for interested buyers. Mr. Girod said that he would like to defer the street improvements until development occurs. It is his thought that a new structure will run north/south with the face to the west. The new owner will also be required to pave the remaining portion of the parking area.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: Mr. Kinney read into the record a letter from the Gundersen's stating their concern with the need to retain the south access as well as some green space. In response, Mr. Kinney stated that as long as the applicant complies with the city's zoning code they have the right to construct a building as they choose. Mr. Kinney noted that he likes Mr. Girod's proposal that will still allow access off of Alder Street.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Mrs. Carey asked how deferral agreements are tracked. Mr. Kinney said that they are recorded with the county clerk's office and become a part of the title to the property.

APPLICANT'S SUMMARY: None.

STAFF SUMMARY: Mr. Kinney stated that condition #4 should be added indicating that a cross access easement shall be filed with the county clerk.

Chairman Long closed the hearing at 9:58 a.m.

Ann Carey moved, seconded by Nancy Kelle to approve the application of Jim Girod for a minor partition, File No. 2010.03.04 subject to the conditions of approval as modified, including condition #4 requiring a cross access easement, and to adopt the findings of fact as recommended. The motion carried (7:0).

Mrs. Stuntzner asked if it is common for other cities to not have a minimum lot size or setback in the commercial zone. Mr. Kinney said it is typical that cities will not have either of those requirements. However, it is also common to require a minimum of 25' to cover the access.

PUBLIC HEARING:	File #2010.02.03	Amendments to the Zoning Code Chapter 17.44.100
		Manufactured Home Standards
	Applicant:	City of Mill City
	Proposal:	Legislative Addition to the City of Mill City Zoning Code

Chairman Long opened the public hearing at 10:03 a.m. and called for potential conflicts of interest, bias or ex parte contact.

STAFF REPORT: Mr. Kinney said that Steve Oulman, DLCD, indicated that the city has an obligation under Goal 10 to provide opportunities for manufactured homes to be set on individual lots. Mr. Oulman questioned the city's carport and garage requirements as being limiting to people ability to construct low cost housing. Number 15 is a change that was added due to discussion at previous meetings. Mrs. Carey said that in the past the council has had the authority to provide early occupancy for a manufactured home and asked if this should still be in the code. Mr. Kinney said that he would not put it in the code.

Mrs. Carey said that there have been statements that the city does not have the right to require design standards for manufactured home placements. Mr. Kinney said that the state gives specific authority to the city to impose design standards.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Mrs. Stuntzner asked for clarification on the statement within the code that says mobile homes shall not be located outside of manufactured home parks except as noted in....,asking if RVs should be included in this section of the code. It was noted that a mobile home is defined as a moveable space which is meant to house persons made prior to HUD standards in 1976.

Mrs. Cook said that the city does not allow placement of a home unless it meets HUD standards which, in effect, disallows mobile homes within the city.

Mrs. Lemke asked if the requirement of homes being of similar siding will allow for someone to bring in a metal sided home if it is being placed next to one that is existing with metal siding. Mr. Kinney said that the statement of “nearby residences” may need to be removed. After further discussion it was decided to leave the wording as it is and use the requirement of thermal energy to stop metal sided structures from being placed.

Mrs. Kelle asked when the ordinance will take effect if it is adopted by council. Mrs. Cook said it takes effect 30 days after adoption.

STAFF SUMMARY: None.

Chairman Long closed the hearing at 10:23 a.m.

***Gay Stuntzner* moved, seconded by *Nancy Kelle* to approve the Amendments to the Zoning Code Chapter 17.44.100, Manufactured Home Standards with the inclusion of section 15, building orientation. The motion carried (7:0).**

NEW BUSINESS:

Deford Creek – Assessments and Restoration Concepts Plan: Liz Redon, Coordinator, North Santiam Watershed Council, gave a brief presentation on the Deford Creek Restoration Plan. Mrs. Redon noted that the Snake/Deford Creek area has increased requirements as it is a spawning area for salmon and steelhead. Mr. Kinney asked if there is a higher risk of appeal for city planning applications around these creeks due to the endangered species within them. Mrs. Redon said that she is not sure but will ask. Mrs. Redon said that a water quality 303(d) listing needs to be in place for this area. This creek area is listed as having too warm a temperature. To remedy this, plantings of native vegetation and trees needs to be done.

INFORMATION ITEMS: Mr. Kinney reminded everyone of the Goal Setting meeting Tuesday evening at the Mill City Middle School, 5:45 p.m.

FURTHER BUSINESS FROM THE PLANNING COMMISSION:

The meeting was adjourned at 11:38 a.m.

Prepared by:

Stacie Cook, CMC, City Recorder/Planning Secretary

Addendum

Staff/Planning Actions:

1. Set meeting w/Ryan, Ann, Nancy & George to discuss draft BLI.
2. Letter to Gundersen's addressing concerns w/parking and green space.
3. Set meeting to review MC Falls resolution.
4. Draft Development agreement for Girod application.
- 5.