



PLANNING COMMISSION WORK SESSION MINUTES
4222 NE Old Salem Road
Millersburg OR 97321
January 2, 2024
6:00 p.m.

- A. CALL TO ORDER: Chair Doug Iverson called the meeting to order at 6:00 p.m.
- B. ROLL CALL:

Members Present: Chair Doug Iverson, Commissioner Brandon Abresch, Monte Ayers, Jerry Horn, Alex Patterson, Ryan Penning and Caryl Thomas

Staff Present: Matt Straite, Community Development Director; Sheena Dickerman, City Recorder; Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; and Margaret Gander-Vo, City Attorney

Chair Doug Iverson welcomed everyone and introduced new planning Commissioner Brandon Abresch. Commissioner Brandon Abresch shared about himself.

- C. NOMINATION OF CHAIR AND VICE CHAIR **6:02 p.m.**

ACTION: Motion to nominate Doug Iverson as Chair, made by Monte Ayers; seconded by Commissioner Caryl Thomas.

Commissioner Brandon Abresch	Aye
Commissioner Monte Ayers:	Aye
Commissioner Jerry Horn:	Aye
Commissioner Doug Iverson:	Aye
Commissioner Alex Patterson:	Aye
Commissioner Ryan Penning:	Aye
Commissioner Caryl Thomas:	Aye

Motion Passed: 7/0

ACTION: Motion to appoint Monte Ayers to Vice-Chair, made by Commissioner Caryl Thomas; seconded by Commissioner Ryan Penning.

Commissioner Brandon Abresch:	Aye
Commissioner Monte Ayers:	Aye
Commissioner Jerry Horn:	Aye
Commissioner Doug Iverson:	Aye
Commissioner Alex Patterson:	Aye
Commissioner Ryan Penning:	Aye
Commissioner Caryl Thomas:	Aye

Motion Passed: 7/0

- D. MEETING MINUTE APPROVAL **6:03 p.m.**

Iverson pointed out that the minutes reflected that the meeting was adjourned by himself, but he was not in attendance and previous Chair Wil Canate adjourned the meeting.

ACTION: Motion to Approve the October 3, 2023, minutes as modified, made by Commissioner Monte Ayers; seconded by Commissioner Caryl Thomas.

Commissioner Brandon Abresch: Aye
Commissioner Monte Ayers: Aye
Commissioner Jerry Horn: Aye
Commissioner Doug Iverson: Aye
Commissioner Alex Patterson: Aye
Commissioner Ryan Penning: Aye
Commissioner Caryl Thomas: Aye

Motion Passed: 7/0

E. PUBLIC HEARING
File No: DC 23-02

6:05 p.m.

Iverson talked about the three-minute time limit.

Chair Doug Iverson opened the public hearing at 6:06 p.m.

City Recorder Sheena Dickerman read the disclosure statement*.

Community Development Director Matt Straite explained that he would be going through the changes and then the criteria. Staff keeps a list throughout the year of any codes that are not clear, wrong or needs to be updated. This is the reason for the small collection of updates. At the last workshop staff shared that there were three categories that they wanted to do. Climate Friendly Equitable Communities, CFEC, a new measure that is being passed by the State that they feel are necessary for climate action and other things. These are mandatory adjustments. The second update is general text and the third one was talked about at the workshop, which was three map changes that staff removed from this update.

Straite started with the CFEC updates. He said the Governor told all entities to use their executive abilities to reduce climate action. The State has a planning division, Department of Land Conservation and Development (DLCD). The DLCD put forward rules that would help curtail climate change. A lot of the rules affect cities differently. There is a threshold of 5,000 people. Once a city goes over 5,000 people, the city has to rezone, where the city will have their climate friendly areas. The climate friendly areas have to be walkable and have mixed use, jobs and homes close by and lots of sidewalk. The City does not have to comply with most yet, as the City is only 3,000 people. The City did have to comply with some requirements that all cities have to comply with.

Straite said the mandates mainly revolve around parking; it requires the City to remove parking mandates, adjust parking regulations, and require projects to have conduit for electric vehicles charging stations. The City doesn't have to require the stations, but the State thinks it has to be done at the development level as adding conduit is expensive later.

Straite said that the City's code has a table for how many parking spaces are needed for different kinds of uses. The State is requiring that the City get rid of it. There is no longer a minimum of parking spaces someone is required to have. The business will be able to decide what they need. Staff does not believe this will impact the City. There will still be parking standards for size of the parking space, curb stalls and landscaping and the developer will still have to meet those requirements. He showed Table 14 which will be removed*.

Straite continued with parking lot standards. The first mandate the State is requiring is that all parking lots have shade from trees, at least 50%. The next requirement is a carpool and vanpool preferred spaces for any new business that will be coming in. The last requirement is for the City to allow existing parking lots to be redeveloped to provide bus stops and bike racks.

Straite stated that any time the City does an update to the Development Code the City has to notify the State. The DLCD sent an informal email that praised the City for what the City was doing toward complying with the State mandates. There was one change that was asked for that the City didn't make as it wasn't a requirement. Staff had put in that if someone wanted to revise their parking lot and put in another use, they would need to come to the Planning Commission for an entitlement process. This would require a study and to analyze the parking lot change. The State asked staff to delete it. Staff wanted to be more cautious about the impacts to surrounding communities. Staff has kept it in. This does not mean that the City didn't comply.

Straite said that the staff report included all the changes but the one that the DLCD asked for but he hadn't included the DLCD email. He passed out a memo that included the DLCD email*.

Straite highlighted the changes that were proposed in the staff report*. He stated that the staff report goes into great detail on how each one met the criteria. It meets all City, State Goals and State planning goals. He went through the memo.

Criteria – staff report goes in great detail. Meets City reads, State Goals, and All state planning goals.

Straite talked more about the memo and the emails from residents that were asking for specific changes and DLCD. One resident wanted to double the size of what the City was proposing for the Accessory Dwelling Units (ADU). They had asked to change the max size to 1,800 square feet and to double the increments for the ADU. None of the surrounding cities had a max of 1,800 square feet for ADU's. He noted that the email from the DLCD, staff had already made those changes. Another email, the resident wanted to make an all-new code that wasn't part of the 35 revisions. Staff communicated that it was a good idea and would need to be a part of the next Code updates as this one is already done, and the resident was fine with it being done in the future.

Straite clarified how public testimony works, it is not designed to be for back and forth questions. The public may ask questions but the Planning Commission is not obligated to answer them. Staff will try to provide answers to them as the City moves forward. There is a three-minute timer for the public to provide their testimony.

Straite explained that the notice that went out had language at the top that said this might impact their property values. He explained that any time the City updates the Code that language is required if the City is going to impact people's property in any way, he said State requires that the Measure 56 notice be sent out. Staff does not believe any of the Code changes will impact people's property values but had to include the language.

PUBLIC TESTIMONY –

IN FAVOR:

David Raymond, 6219 NE Elena Street –was in favor of the clear paths. He thinks that those things addressed will make it better.

OPPOSED-

Arthur Wells, 5990 Tuscan loop – read his proposed request to changes to RV covers*.

Chair Doug Iverson closed the public hearing at 6:51 p.m.

DISCUSSION

Iverson mentioned that on page 40 of the packet there is an item on 42. Straite said the "4" was struck out. Iverson said on page 58 it talks about an attic or a person converting a portion of their basement, he didn't know how it could be enforced. Straite replied that it would be driven by building permits. If someone wanted to seal off one part of the house and add a second entrance. A kitchen is how it is categorized an ADU or not. It is part of the building code and why it wasn't seen in the changes.

Iverson commented on the wording on page 59 being confusing. Straite will review with the City Manager and Assistant City Manager to figure out better language to use.

Iverson said on page 60, it should be defined who is the City. Straite will change "City" to "City Manager".

Commissioner Monte Ayers asked about renting a room in the house, he mentioned the daycare situation. Straite replied it allows them to rent it out.

Ayers asked about when the City grows and the confined space living; apartments, duplexes, or triplexes help when the future requirements. Straite replied that it would help in the future. He explained that the CFEC area requires when the City reaches 5,000, areas zoned and the SRO's don't help with that. It does show the State City has more accommodations for affordable housing.

ACTION: Motion to recommend approval of the modified DC 23-02 to the City Council because all applicable criteria are met, and all findings of fact are included in the staff report, made by Monte Ayers; seconded by Commissioner Jerry Horn.

Commissioner Brandon Abresch Aye
Commissioner Monte Ayers: Aye
Commissioner Jerry Horn: Aye
Commissioner Doug Iverson: Aye
Commissioner Alex Patterson: Aye
Commissioner Ryan Penning: Aye

Commissioner Caryl Thomas: Aye

Motion Passed: 7/0

F. PUBLIC HEARING

6:57 p.m.

File No: SP-23-03

Chair Doug Iverson opened the Public Hearing at 6:57 p.m.

City Recorder Sheena Dickerman read the disclosure statement.

None of the Commissioners reported a conflict of interest. Commissioner Alex Patterson reported he had walked by the site yesterday. Commissioner Caryl Thomas reported that she had walked through the site as a member of the Parks Commission.

None of the public challenged the Parks Commission.

Straite described where the project was located, southerly of Millersburg Drive and easterly of Sedona Road. The zoning is residential low and the residential around is zoned residential low. Straite went through the background of the project. The Parks Master Plan identified a need for a new park in North Millersburg. The City purchased the property in 2020.

In 2022, the City won a grant from the Oregon State Parks to do an outreach plan, concept plan and land use approval for this park. The same year the City released a survey and asked the north Millersburg residents what features they would like. This greatly guided the design of the park. The City held two Parks Commissions meetings and the final product the Parks Commission came up with is called the preferred concept, a copy is in the agenda packet.

Straite explained that the Planning Commission is to ensure that the criteria for land use is met and not to discuss the features. If any of the features is standing in the way of criteria, then it should be discussed.

Straite went through the project description. The project is for a conceptual park design. It would be for 4.4 acres. The Parks Commission helped to know that it should include a trail, playground, shelter, lots of landscaping and some recreational features.

Straite reviewed the criteria. It must be allowed in the zone. Parks are permitted in the zone. It must meet all the permitted use requirements in the zone. First is the height, since this is a concept plan it is unknown what the elevations will be but the tallest feature is the proposed shelter and the height limit is 35 feet. Next is setbacks and the concept shows that all the primary structures will be away from the edges of the property. The last criteria is lot coverage which says that it can't be covered more than 50 percent with impervious surface. The project is under the 50 percent requirement.

Straite stated that the next criteria is the project cannot have negative impacts; traffic, noise, dust and glare. The site includes 11 parking places. He commented that the Parks Commission had looked at the kinds of amenities that were in the park, nothing that would be a regional draw. He used the example of a splash pad. There are no features that would cause other communities to drive here and visit. It is a neighborhood park. Parks and homes are considered compatible with residential areas. The mitigation for

the noise is there are no bandstands or sport fields. Other mitigation measures are the plantings. Staff does not anticipate dust or glare.

Straitte said the next criteria is public utilities to the site. There are public utilities there today, a water meter will be required. A stormwater plan was not included at this stage, but staff has added a condition of approval. Staff has also added a condition of approval for the standards of all the utilities to be met.

The next criterion is access, the park has been designed to include pedestrian and vehicular access. There is a sidewalk and a driveway that will bring residents in from Millersburg Drive. The Parks Master Plan calls for a trail someday to the east. The trail is not part of the park. There is a spot for the pedestrian connection to the future trail.

Straitte said that a condition of approval was added to the project that requires that 60 percent of the park border with homes must be fully screened with vegetation after 15 years growth. For parking, conditions of approval have been included for landscaping and a drainage plan is created prior to construction.

Straitte mentioned an email that is included in the memo that a concerned neighbor had about amenities. The amenities are not what is being approved at this time and there is no need to talk about those yet.

PUBLIC TESTIMONY

No one spoke in favor or in opposition.

Commissioner Ryan Penning asked if the conduit would need to be a requirement. Straitte affirmed. It will need to be part of the final plan. There will be power at the park. Commissioner Jerry Horn asked how many parking spaces there were. Straitte replied eleven.

Straitte explained that the final plan will go to the City Council in the future. The next steps would be grant funding for final plan and final construction. This will be a few more years.

Chair Doug Iverson closed the public hearing at 7:15 p.m.

ACTION: Motion that based on the findings of fact in the staff report, and the conditions of approval, the proposed project satisfies applicable criteria and standards, and the Planning Commission approves Site Plan SP 23-03 with conditions of approval, made by Commissioner Alex Patterson; seconded by Commissioner Monte Ayers.

Commissioner Brandon Abresch	Aye
Commissioner Monte Ayers:	Aye
Commissioner Jerry Horn:	Aye
Commissioner Doug Iverson:	Aye
Commissioner Alex Patterson:	Aye
Commissioner Ryan Penning:	Aye
Commissioner Caryl Thomas:	Aye

Motion Passed: 7/0

G. PLANNING UPDATE

Straite said there have been a couple of land use applications. There will be a couple items coming to the February meeting.

H. ADJOURNMENT: Chair Iverson adjourned the meeting at 7:17 p.m.

Respectfully submitted:



Sheena Dickerman
City Recorder

Reviewed by:



Matt Straite
Community Development Director

*Presentation materials or documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing info@cityofmillersburg.org.