

CITY OF BANKS, OREGON
Planning Commission Meeting
February 25, 2014
Banks City Hall, Banks, OR

Chairperson Ray Deeth called the meeting to order at 6:35 PM. The proceedings were recorded in digital format.

ROLL CALL

Present were: Chairperson Ray Deeth, Gene Stout, Sam Van Dyke, and Rodney Jacobs. Lisa McAllister was absent.

Attending: Jolynn Becker, City Manager; Angie Lanter, Interim City Recorder; Dan Kearns, City Attorney; Stacey Goldstein, City Planner.

APPROVAL OF MINUTES

1. Approval of minutes from the January 28, 2014 meeting
Chair Deeth noted that Banks Tavern under Public Comment should be corrected to Banks Billiards. Staff would confirm what was stated on the audio recording.

Sam Van Dyke moved to approve the Planning Commission minutes of January 28, 2014 as noted. Gene Stout seconded the motion, which passed unanimously.

PUBLIC COMMENT There was none.

BUILDING PERMIT REVIEWS – INFORMATION ONLY (None)

WORK SESSION (None)

PUBLIC HEARINGS

2. Planning Commission recommendation of approval to City Council – Proposed Code Update Package.

Chair Deeth called the public hearing to order and read the conduct of hearing format into the record. Sam Van Dyke did not believe he had a conflict of interest or bias with regard to the proposed Zoning Code amendments, but disclosed that he would request that some of his property be annexed in the future. He confirmed he could be fair and impartial in his decision.

Stacey Goldstein, City Planner, briefly presented the Staff report and reviewed the process for adopting the Code package the Commission had been reviewing for several months. She noted that a Quail Valley Golf Course representative was the only person present at the open house scheduled today. Quail Valley did submit a letter for the record that raised issues about the 30 percent open space requirement for standard subdivision applications, which she identified on Page 6 of new Chapter 152 Land Divisions and Property Line Adjustments. She sought clarification from the Commission as she understood the Commission had decided the requirement for subdivisions was not to exceed 15 percent of the gross site area for open space. She believed Quail Valley's analysis of local jurisdictions' open space requirements in standard residential subdivisions was accurate and concurred that 30 percent, essentially one third of the land area, was too much for a straight subdivision application.

The Commission and Ms. Goldstein recounted earlier discussions of how the open space requirements were determined for standard subdivisions and Planned Unit Development (PUD) and confirmed the Commission decided on a 15 percent maximum open space requirement for standard subdivisions and a 30 percent minimum open space requirement for PUDs, for which developers could request a variance. The Commission discussed how the open space requirements might apply to different scenarios, noting the final result would ultimately be determined according to the interpretation of the Planning Commissioners at the time.

Following discussion, Ms. Goldstein suggested striking the language requiring 30 percent of the gross site area and carrying the existing language from 152.058 stating the public park dedication shall not exceed 15 percent of the buildable land area within the subdivision.

Chair Deeth called for public testimony regarding the proposed Code Update Package.

Don Kilgrass, President, Quail Valley Golf Course, agreed the issue was the 30 percent open space requirement in the Code Section 152.005.C.8(d). Information submitted for the record indicated the 30 percent might be a bit excessive and might not withstand being contested with by the takings law. From the discussion, it seemed the Commission was on the right track and the percentage was just a clerical error.

Ms. Goldstein explained the approval process and confirmed the Commission could take action this evening to approve the discussed changes. She explained that standard subdivisions have a straightforward approval process and clear and objective standards regarding lot sizes, setbacks, area, etc. These subdivisions are allowed very little deviation. PUDs have different requirements and provide applicants more flexibility within the Code. PUD applicants could request smaller lot sizes or cluster developments, for example, and the Planning Commission had more leeway in determining whether the application was consistent with the objectives of the Code. She confirmed that the maximum requirement of 15 percent open space for standard subdivisions would provide flexibility, allowing the applicant to submit up to 15 percent open space and then the Commission would make its decision. The Planning Commission would decide whether the open space proposed in the preliminary plat application would meet the need of the development and consider Staff's recommendation as well.

Chair Deeth closed the public hearing at 7:20 pm.

REGULAR BUSINESS

3. Shall the Planning Commission recommend to the City Council to adopt the Proposed Code Update Package?

Sam Van Dyke moved that the Planning Commission recommend the City Council adopt the new code updates with the correction to match the existing Code stating, "The public park dedication shall not exceed 15 percent of the buildable land area of the subdivision" and recommend the corrected Code Update Package to City Council for approval. Rodney Jacobs seconded the motion, which passed unanimously.

VERBAL STAFF REPORTS AND UPDATES

4. The City of Banks was awarded a grant from the State Transportation and Growth

Management program for the Banks Bicycle and Pedestrian Plan.

City Manager Becker stated the City applied for this grant for last spring. Originally, the City was told they would not receive any funding, but additional money must have come in and Banks was next on the list. The \$80,000 grant would be used to design a Bike and Pedestrian Master Plan throughout the city, including the urban growth boundaries. The City would contribute about 10 percent of the cost for this planning effort. The grant was not for construction purposes. The master plan would consider connections to all regional facilities, like the Scenic Bikeway and Council Creek Trail, and also provide design standards and proposed Code rewrites based on the findings. Ms. Goldstein added the plan would also support the economic development efforts downtown.

Chair Deeth reported on the meeting he attended for the Salmon Berry Rails to Trails Project, which would draw more people to Banks. Having a Bike and Pedestrian Master Plan would help lay the groundwork for the Salmon Berry Trail.

The master plan must be completed by June 2015 and Staff would be requesting Planning Commissioners to participate on the panel to interview potential consultants. Staff was researching other grants to implement some of the streetscape recommendations for Main Street.

City Manager Becker reviewed the actions and agenda items of the February City Council work session and regular meeting.

Chair Deeth asked for an update on the water meter for the Banks Lumber Mill. Ms. Goldstein replied the mill would return before the Planning Commission once they had determined a direction. Banks Lumber could not occupy the new building until the water meter issue was resolved. City Manager Becker noted the mill was working to address both conditions regarding the water meter and arborvitae. The pellet mill was expected to return before the Commission in June to provide an update on their business model and growth.

Gene Stout agreed to be the City Council Liaison for March.

ADJOURN: The Planning Commission meeting adjourned at 7:40 p.m.

Submitted by: _____
Stacey Goldstein, City Planner