PRESIDING: Dale Madden

Commission Present: Dale Madden, Susan Wright, Ralph Wimmer, Virginia Fuller

Commission Absent: Suze Riley

Staff Present: City Recorder/ZOA DeOra Patton, Planner Nick Kraemer

Visitors Present: Candy Barnett, Patrick Kollodge, Mike McLucas, Kathie Richey

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE. The meeting was called to order by Chairman Madden at 6:00 p.m. Roll Call of Planning Commission was conducted by Recorder Patton. Chairman Madden led the Commissioners in the Pledge of Allegiance.

CONSENT AGENDA: APPROVAL OF MINUTES OF June 20, 2016. It was moved by Commissioner Wimmer, seconded by Commissioner Wright, and passed unanimously; the Commission approves consent agenda as presented.

PUBLIC HEARING TO RECEIVE PUBLIC TESTIMONY AND MAKE DECISION ON A PROPOSED MAP AMENDMENT/REZONE OF PROPERTY AT THE CITY WATER RESERVOIR FROM LOW DENSITY RESIDENTIAL (LDR) AND OPEN SPACE (OD) TO INDUSTRIAL (I). For the record, notice of this hearing was published in The Dalles Chronicle, posted locally, and mailed to surrounding property owners within 100 feet. The application was available for public inspection at city hall.

Planner Kraemer announced the purpose, this hearing to be a quasi-judicial public hearing, and rules of procedure. He read the applicable criteria and cited the ORS Statute rules pertaining to testimony and evidence, the raising of issues, continuances, and failure to raise an issue precluding appeal to the City Council or Land Use Board of Appeals.

CALL FOR ABSTENTIONS: none
OBJECTIONS TO JURISDICTION: none

OPEN HEARING: Chairman Madden opened the hearing at 6:06 p.m.

STAFF REPORT: Planner Kramer reviewed his written staff report. The applicant, City of Maupin, is requesting a Comprehensive Plan/Zoning Map Amendment to make minor changes to the zoning in the area of the City Reservoir and Public Works equipment/material storage yard to better reflect the current usage of the land and accommodate the industrial use of siting a high speed fiber optic Telecommunications Hut or Point of Presence (POP) for the Maupin Broadband Project. His recommendation is for approval pending testimony.

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Commissioner Wright questioned if the POP facility will include a tower, and based on discussion, if could find out this information.

Planner Kramer acknowledged this rezone does not approve the Broadband project.

Commissioner Wimmer reported, from his questions/recent hearings before the Council on the fiber optic broadband ordinance and LSN ground lease, on the plans of the POP facility. It will be a 12 x 20 prefab building on a concrete slab that will be all electronic, no electronic cleaning supplies, the propane is only for the use of the generator, and once the facility is set up and operational, there will probably be one person once a month making adjustments. He endorsed the Commission is not approving the development, only the rezone.

In discussion, Planner Kramer acknowledged zoning codes give lots of discretion to public facilities.

PROPONENTS: No public testimony was presented.

OPPONENTS: Candy Barnett, 602 View Street, announced she is present as a citizen, not as an employee of the City. She questioned if the City has done its due diligence in checking with DEQ to say it is okay to store more vehicles with gas, oil, diesel, antifreeze on top of the reservoir/water stream without proper catch basins. She stated she is not opposed to the actual broadband, and not opposed to it being zoned industrial. She is opposed to "the City does not due its due diligence to check with the proper sources/authorities to make sure this is a safe thing to change to industrial to add components of a public works facility", because of the drinking water. She stated she is concerned as a citizen for the protection of the water and not just willy-nilly do it to get broadband, because there is other property right across the street here (from the City Park) and it is already zoned industrial. She further stated she don't like how everything is piggy backed on this proposal, and declared the proposals should have been one thing and then another. She requested to know, as to the material storage yard, what the materials are - herbicides, pesticides, gas, oil, diesel? It is her recommendation that the City does its due diligence and checks with everybody that it is okay.

Mike McLucas submitted he would feel more comfortable if some distinction be stated that this is light industrial, and only those things that were appropriate to wellhead protection use.

Kathie Richey suggested putting off this rezoning for another month until these questions are answered.

Commissioner Wimmer acknowledged his understanding on the importance of time.

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Planner Kramer acknowledged the Commission makes a recommendation to Council and Council would hold another hearing where opportunity for testimony would be given.

Mr. McLucas suggested having answers at the Council hearing.

Clarifications/discussions during public testimony included the only matter before the Commission is redesignating the zone of the property, any new uses would have to go through a permitting process. The notice with inclusion of public works equipment/material storage yard is current use of the property; there are some vehicles stored there. Under the City's Zoning Ordinance/Industrial zone, the permit process for public facility would not require site plan review/public hearing. The City's Zoning Ordinance does not contain a Light Industrial Zone and creation of that zone/ordinance amendment would be another process. There is no current proposal of the City, no final decision, to move the public works facility to the property. The only action of the City has been a ground lease agreement with LSN. The wellhead protection plan is comprised of multiple zones going past the ODOT station, and each zone identifies possible travel time/years for infiltration to the springs.

CLOSE OF HEARING: There being no other testimony, Chairman Madden closed the public portion of the hearing at 6:48 p.m.

DELIBERATION/DECISION: Based on discussion, it was moved by Commissioner Wimmer, seconded by Commissioner Fuller, and passed unanimously; the Commission accepts the City Planner's Staff Report and approves this Comprehensive Plan/Zoning Map Amendment by the City of Maupin subject to Conditions of Approval being (1) the requirements of the spring protection area be adhered to no matter the zoning in this area, and (2) any changes of the intensity of use be subject to site plan review.

Planner Kraemer announced, pursuant to process, another public hearing before the City Council will be held on July 27th.

WORKSESSION ON PLANNING/NEXT STEPS FOR WORK TOPICS OF (a) VACATION RENTALS AND (b) REZONING A PORTION OF DESCHUTES AVENUE & SOME INDUSTRIAL LANDS. The Commission was presented with copies of the Vacation Rental section of the November 2015 Planning Commission Work Topics, LOC article entitled, "Online Vacation Rental Services Complicate the Housing Balance in Yachats", Cynthia Wang article in LOC magazine entitled, "Regulating Short-Term Rentals – Best Practices & Industry Perspective", and previous Planning Commission's proposed ordinances - "Model Zoning Texts" for redesignating a portion of Deschutes Avenue (6th Street to Burnham Avenue) to a Commercial/Residential Transition (CRT) zone and redesignating a portion of the old sawmill property to Light Industrial/Commercial Zone (LI/C).

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Audience member Patrick Kollodge announced he is present because he has an interest in Bed & Breakfast establishments going forward.

Based on discussion, it was the consensus of the Commission to bring a flip chart to the next meeting for preparing information/points of interest to present at a future Planning Commission Town Hall meeting to discuss vacation rentals.

NEXT MEETING: August 9, 2016.

ADJOURN: Chairman Madden adjourned the meeting at 7:50 p.m.

Respectfully submitted by
DeOra M Patton
City Recorder

SIGNED _____
Chairman

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