

**CITY OF SILVERTON
PLANNING COMMISSION MINUTES**

7:00 P.M.

November 8, 2016

The Planning Commission of the City of Silverton met at the Silverton Community Center on November 8, 2016 at 7:00 p.m. with Chairman Flowers presiding.

I. ROLL CALL:

Present	Absent	
X	_____	Chairman Clay Flowers
X	_____	Vice-Chairman Jeff DeSantis
_____	<u>Excused</u>	Tasha Huebner
X	_____	Gus Frederick
_____	<u>Excused</u>	Joseph Pelletier
X	_____	Rich Piaskowski
_____	<u>Excused</u>	Morry Jones

Staff Present:

Community Development Director, Jason Gottgetreu; Public Works Director, Christian Saxe; and City Clerk, Lisa Figueroa

II. APPROVAL OF THE MINUTES FROM THE MEETING HELD OCTOBER 11, 2016:

COMMISSIONER DESANTIS MOVED TO APPROVE THE MINUTES OF OCTOBER 11, 2016 AS PRESENTED. VICE CHAIRMAN FREDERICK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

III. BUSINESS FROM THE FLOOR:

There were no comments.

IV. AGENDA ITEMS:

1. Case: Variance Application

Filed by: Janet Rhode

Planning Department File No.: VR-16-01

Chairman Flowers opened the Public Hearing at 7:03 p.m. and asked Commissioners if they wish to declare any ex parte contacts or conflicts of interest. No Commissioners declared ex parte contacts or conflicts of interest. Chairman Flowers reviewed the Public Hearing procedures. Chairman Flowers noted that Steve Herr built his home but it will not have any bearing on his ability to render an impartial decision.

Community Development Director, Jason Gottgetreu presented the staff report. He said the variance application requests to allow a five-foot side yard setback for the existing detached accessory structure at 1328 South Water Street, which will be converted into an Accessory Dwelling Unit. He said an accessory dwelling is permitted in the R-1 Zoning District as long as it meets certain standards, such as a seven-foot yard setback. He said the existing structure was built as an accessory structure, which is allowed a five-foot side yard setback, and is a conforming structure. He clarified converting the structure to an accessory dwelling requires the seven-foot setback, which is why they are requesting a variance. He indicated the reduction of the side yard setback will not adversely affect the existing physical and natural systems of the area. He said any conversion must meet current building code standards. He noted Staff did not receive any written testimony.

Applicants Testimony:

Janet Rhode, owner of 1328 S. Water St., addressed the Commission. She said she purchased the property about two months ago and intended on it being a workshop, however, due to unforeseen circumstances she would like to convert it into a unit for her sister and brother in law. She said the footprint of the unit would not change. She answered several clarification questions for the Commission.

Public Testimony:

There were no comments in favor or opposed from the public.

VICE CHAIRMAN FREDERICK MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Chairman Flowers closed the Public Hearing at 7:13 p.m.

COMMISSIONER DESANTIS MOVED TO APPROVE VARIANCE APPLICATION VR-16-01 AS PRESENTED. VICE CHAIRMAN FREDERICK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

2. Case: Amend the Silverton Comprehensive Plan

Filed by: City of Silverton

Planning Department File No.: CP-16-03

Chairman Flowers opened the Public Hearing at 7:15 p.m. and asked if any Commission members wish to abstain, declare conflicts of interests or ex parte contacts. No Commissioners responded.

Community Development Director Gottgetreu provided the Staff report and said this is a procedural amendment. He indicated it would allow the City to adopt more specific facility plans that are amendments to the Water Facility Plan through the resolution process rather than through the Ordinance process. He said the proposed amendment would streamline the approval process for amendments to all Master Plans that do not rise to the level of Land Use application. The Commission asked who determines whether an amendment would be a Land Use decision. Community Development Director Gottgetreu replied Oregon Revised Statutes defines Land Uses. Commissioner DeSantis said he would rather keep the current process in place, since this kind of action is not a regular occurrence. Community Development Director Gottgetreu explained the resolution process.

Public Works Director, Christian Saxe said the Water Facility Plan provides an overview of the City's current capacity and conditions of the plants and the recommended upgrades. He said additional plans that may be amended could include the Wastewater Treatment Plan, Sewer System Master Plans, etc. He said to bring them up to capacity would not require any land use processes. Staff provided examples of non-Land Use issues, such as replacing internal equipment.

Public Testimony:

There were no comments in favor or opposed to the application. Community Development Director stated there were no written comments submitted.

VICE CHAIRMAN FREDERICK MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Chairman Flowers closed the Public Hearing at 7:28 p.m.

Commissioner DeSantis reiterated his concerns.

VICE CHAIRMAN FREDERICK MOVED TO RECOMMEND TO THE CITY COUNCIL TO APPROVE THE PROPOSED CP-16-03 APPLICATION TO AMEND THE SILVERTON COMPREHENSIVE PLAN BY REFERRING TO MASTER PLANS, "AS AMENDED" AS IT MEETS THE REVIEW CRITERIA AS PRESENTED. COMMISSIONER PIASKOWSKI SECONDED THE MOTION AND IT CARRIED THREE TO ONE. COMMISSIONER DESANTIS OPPOSED THE MOTION.

V. REPORTS AND COMMUNICATIONS

Community Development Director Gottgetreu updated the Commission on the landscaping issue at Maps Credit Union. He said there was a condition to have vegetative screening on both sides of the fence. He said the bushes on the fence side are red bells, which will grow to a maximum of eight-feet; he indicated the Code allows for a three-year maturity growth. He said there was an inquiry about window signs at O'Reilly's; and indicated the Sign Code exempts interior signs that are four square feet in area, but it cannot exceed 20% of the window area. He said Code enforcement is investigating that issue.

VI. ADJOURNMENT

The Meeting adjourned at 7:34 p.m.

Respectfully submitted,

/s/Lisa Figueroa,
City Clerk