

MEETING NOTICE

POLK COUNTY PLANNING COMMISSION
NOVEMBER 14, 2017, 6:00 P.M.
POLK COUNTY COURTHOUSE
FIRST FLOOR CONFERENCE ROOM
850 MAIN STREET
DALLAS, OREGON

AGENDA

1. CALL TO ORDER AND NOTE OF ATTENDANCE
2. MINUTES OF MARCH 9, 2017 PUBLIC MEETING
3. WORK SESSION REGARDING POTENTIAL UPDATES TO THE PCZO
4. COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA
5. COMMUNICATIONS FROM THE PLANNING COMMISSION
6. COMMUNICATIONS FROM PLANNING STAFF
7. ADJOURNMENT

Attachments:

- A Minutes of March 9, 2017 Public Meeting
- B Planning Commission Memorandum for the Work Session

**POLK COUNTY PLANNING COMMISSION
MARCH 9, 2017 AT 6:00 P.M.
POLK COUNTY COURTHOUSE
FIRST FLOOR CONFERENCE ROOM
850 MAIN STREET
DALLAS, OREGON**

The following are the minutes of the Polk County Planning Commission hearing held on March 9, 2017 in Dallas, Oregon:

1. CALL TO ORDER AND NOTE OF ATTENDANCE

Michael Schilling called the Planning Commission meeting to order at 6:01 P.M. and attendance was noted.

Present: Michael Schilling, Lynda Agen, Bill Farmer, Lee Herzberg, Paul Johnson, Shawn Hussey, and Scott Olson

Absent: None

Staff: Austin McGuigan, Mark Bernard, and Cole Steckley

2. MINUTES OF OCTOBER 26, 2016

Michael Schilling noted that a correction of those who were in attendance needed to be made to the minutes taken for the October 26, 2016 Planning Commission meeting. Michael Schilling noted Shawn Hussey needed to be added to the list of those who were in attendance.

Bill Farmer made a motion to adopt the minutes with the correction. Second by Lynda Agen. Motion passed with no dissent.

3. PUBLIC HEARING ON LA 16-01

Michael Schilling calls the Public Hearing to order for planning file LA 16-01 at 6:02 PM.

Mark Bernard provides a summary of the hearing request and briefed those in attendance on the events that have transpired leading up to the public hearing.

Michael Schilling asks if there is any conflict of interest or statement of ex-party contact.

Schilling states that he had received passing comment from Paul Trahan regarding LA 16-01 prior to the public hearing.

Austin McGuigan then clarifies for all who are present that since this is a legislative amendment there is no specified applicant, although the City of Dallas has asked the Polk County Board of Commissioners to initiate the process to address the urban growth boundary expansion after having received an urban growth boundary amendment request from the subject property's owner.

Schilling asks if any attendees would like to provide testimony in favor of the urban growth boundary expansion.

Andrew Stamp testifies as the representative for the property owner of the identified area to be included in the urban growth boundary. Stamp describes how the urban growth boundary expansion would benefit the existing golf course that is located within the area of said expansion. He explains how the golf course more appropriately qualifies as an urban course, as the rules changed regarding golf courses on rural lands; therefore, it would make more sense to be within an urban growth boundary.

Suzanne Dufner, Planner for the City of Dallas, testifies of behalf of the City of Dallas in support of the expansion. Dufner states that the City of Dallas Planning Commission held a public meeting on February 14, 2017 and made a motion in favor of the proposal. Dufner outlines how the proposed amendment to the urban growth boundary would correspond with the City's parks master plan and that the city anticipates being able to provide utilities such as sewer service, water service and purple pipe irrigation to the property in question.

Schilling asks if there are any individuals wanting to testify in opposition of the proposal.

No attendees come forward to testify.

Schilling then asks if any Planning Commission members have any further questions for those who testified.

Lynda Agen asks Dufner if the city's reclaiming of waste water service is available for the subject property at this time.

Dufner states that the service is not available yet but pieces of the infrastructure are being installed with new construction in the area and the city hopes to have this service available to the subject area within the next couple of years.

Farmer asks where the city limits and urban growth areas are currently located in relation to the proposed expansion.

Dufner clarifies that the city limits abut the northwest region of the subject property. She then states that the golf course actually serves as the open space for the Ceres Gleann Planned Unit Development (PUD) that is located within the city limits directly north of the golf course.

McGuigan explains that the golf course is already integrated into the urban areas surrounding the property through a contractual agreement to serve as required open space for the Ceres Gleann PUD and it is also physically connected to the subdivision by a foot path running from the Ceres Gleann recreational building to the golf course club house. McGuigan clarifies that due to the size of the course and it serving as an amenity for an urban area, the golf course would more appropriately fit within an urban boundary.

Agen then asks if there was any reason the expansion process was prolonged.

Dufner states that a rule change took place at the state level regarding how urban growth boundary expansions are processed. This change came into effect by the time the Department of Land Conservation and Development (DLCD) notice was sent. This required the applicant to address additional criteria implemented by the rule change, which extended the timeline from a procedural standpoint.

McGuigan informs the Planning Commission that he met with Angela Carnahan with the DLCD and she stated that DLCD doesn't have any concerns or objections to the proposal.

Lee Herzberg ask what the current use is of the 10 acres of land to the east of the golf course that is included as part urban growth boundary expansion.

Stamp clarifies that the area Herzberg is referring to is currently being used as a driving range for the golf course established on the subject property.

Agen asks if the current zoning of the property would allow the amenities that the property owner is wanting to add to the golf course.

McGuigan clarifies that Polk County was asked by the City of Dallas to consider this urban growth boundary expansion after the city determined there was a need for certain types of urban amenities that this property could provide. Planning Staff reviewed the proposal based on whether it would fulfil the city's needs presented in their Master Parks Plan rather than the development potential for the property owner. He stated planning staff is recommending that in order for this proposal to adequately meet the needs identified by the City of Dallas, a Public Zone would be applied to the subject property to be consistent with the city's comprehensive plan.

Schilling asks if Dufner could detail the contractual agreements that the subject property has with the Ceres Gleann PUD.

Dufner explains that there is a legal agreement between the City of Dallas, the Ceres Gleann Homeowners Association, and the subject property owner that the property must remain a golf course in order to meet the open space requirement for the Ceres Gleann PUD.

Herzberg asks what would happen if golf course wasn't able to stay in business due to unforeseen circumstances.

Stamp confirms that legal agreements associated with the property would remain even if ownership of the property changed.

Schilling asks if there are any further questions. None were presented.

Schilling closes public hearing at 6:43 PM

Herzburg motions to recommend approval of the proposed urban growth expansion as described in the staff memorandum. Scott Olson seconds the motion.

Schilling asks for any discussion by planning commission. No discussion presented.

Agen suggests a vote.

Schilling asks for those in favor. Response is unanimous.

Schilling asks for those opposed. None oppose.

Motion is passed unanimously.

4. COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Schilling asks for communications from the public on items that are not on the agenda.

None are presented.

5. COMMUNICATIONS FROM THE PLANNING COMMISSION

Schilling asks if there is any further communications from Planning Commission.

None are presented.

6. COMMUNICATIONS FROM PLANNING STAFF

Schilling asks if there is any further communications from Planning Staff.

None are presented.

7. ADJOURNMENT

Schilling adjourned the meeting at 6:46 P.M.



POLK COUNTY

POLK COUNTY COURTHOUSE * DALLAS, OREGON 97338
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COMMUNITY DEVELOPMENT

AUSTIN MCGUIGAN
Director

TO: Planning Commission
Committee for Citizen Involvement

FROM: Austin McGuigan, Community Development Director

DATE: November 7, 2017

RE: Planning Commission and Committee for Citizen Involvement Work Plans 2017-2018; November 14, 2017 Work Session

RECOMMENDATION: Develop, prioritize and recommend a 2017-2018 Planning Commission (PC) Work Plan and Committee of Citizen Involvement (CCI) Work Plan for approval by the Board of Commissioners (BOC).

ISSUE: What are the needed PC and CCI work tasks and their order of priority for 2017 and 2018?

BACKGROUND:

The purpose of this work session is to identify and prioritize projects for the coming year(s). The BOC provides policy decisions on Polk County matters for both the PC and the CCI. The Board requests input on the work plans for both the PC and the CCI.

The PC and the CCI are independently authorized bodies created by Ordinance and appointed by the BOC. As you know, the PC and the CCI currently have the same membership. Recent changes in State law and a request from then Friends of Polk County should be considered and prioritized in a work plan. Additional topics could also be developed and evaluated. In the past, projects have been included that would implement new legislation (zoning ordinance text changes), new transportation facilities (Fort Hill Interchange) and new legislation developed locally (food service safe harbor). Similar needs should be identified.

Staff has developed a draft 2017-2018 PC Work Plan (Attachment A) that includes a list of topics for discussion and prioritization at this work session. The draft work plan identifies new projects anticipated by staff and suggestions for others. Once the PC completes and prioritizes the draft work plan, staff will present the PC Work Plan to the BOC at a public meeting for approval and initiation of projects.

This work session also provides an opportunity for the CCI to develop a work plan in order to focus its efforts over the next year(s). The objectives for the CCI are provided in Board Directive 08-02. Broadly, the Board's objective for the CCI is to enhance citizen participation in the legislative planning process. As stated by the Board, "[l]egislative policy matters [...] determine the specific content of the Comprehensive Plan, Zoning Ordinance, or Transportation Systems Plan." The legislative planning process differs from zoning activity (current planning), which consists of the implementation of the Polk County Zoning Ordinance or Subdivision and Partition Ordinance; primarily through the processing of land use applications. Staff recommends that the CCI work plan items be designed to assist in generating citizen involvement in the legislative projects that are identified on the PC work plan and in the ministerial State law update projects that do not require Planning Commission review.

DISCUSSION/ALTERNATIVES:

1. Identify needs, develop, and prioritize recommended projects for inclusion on the 2017-2018 PC Work Plan and CCI Work Plan; or
2. Other.

FISCAL IMPACT: Project costs may vary. Staff time, notification and publishing costs are impacts to Polk County for each of the above projects.

Planning Commission Work Plan 2017-2018

Priority ¹	Work Task
1	<p>Update PCZO Chapter 117; Wineries. Update to reflect changes to ORS requiring an additional permit for commercial events. While the provisions of PCZO 117.020(C)(3)(c) indicate that wineries producing up to 50,000 gallons per year can hold private events up to 25 days per year, subsequent changes in State law amended the statutory provisions of ORS 215.452 to provide for “up to 18 days of agri-tourism or other commercial events annually” for wineries within the Willamette Valley. The provisions of ORS 215.452(6) require a license from the local government (Polk County) for the first six (6) winery events, and a permit for the next 12 events. Licenses and event permits issued by Polk County for proposed winery events would be valid for a period of five (5) years, and can be renewed following expiration. The licensing and permitting standards of ORS 215.452(7) requires a determination that events on a winery tract are subordinate to the production and sale of wine and that winery operations do not create significant adverse impacts to uses on surrounding lands. Permits issued by local governments pursuant to ORS 215.452 have a term of 5 years and can be used by local governments to place reasonable conditions on events at the proposed winery. These event permit standards could also be applied to cideries.</p>
2	<p>Partitioning along an urban growth boundary. 2015 legislative updates to ORS 215.263 allows partitioning EFU zoned parcels along an UGB when the resultant EFU zoned parcel would be smaller than the minimum parcel size. Includes additional standards.</p>
3	<p>Development Standards for Northwest Polk Unincorporated Community Commercial (NPC-C) Zone. The NPC-C zone does not have development standards listed in PCZO Chapter 112. Staff would include a reference to development standards for the NPC-C zone.</p>
4	<p>Dog Kennels and Training in EFU. 2012 legislative updates permit, as a conditional use, dog training classes that exceed 10 dogs per training class and/or the number of training classes exceeds six per day and testing trials that exceed 60 dogs and/or the number of testing trials exceeds four trials per calendar year.</p>
5	<p>Event Center Home Occupations. Friends of Polk County requested that the Board of Commissioners include on the preliminary Planning Commission Work Plan for consideration a legislative amendment project to develop Polk County specific standards, in addition to the standards found in ORS 215.283(2)(i), 215.296 and 215.448, for home occupations in the EFU zone that are event centers.</p>
6	<p>Update PCZO Chapter 178; Floodplain Overlay Zone.</p>
7	<p>Update PCZO Chapter 114; Nonconforming Buildings and Uses. Update for clarification and to ensure consistency with State law</p>
8	<p>Zoning Ordinance Audit</p>
	<p>Other – As determined appropriate by the Planning Commission and/or Board of Commissioners</p>

¹ Priorities may be modified as projects that are not under the control of Polk County are presented for consideration.

Committee for Citizen Involvement Work Plan 2017-2018

Priority	Work Task
1	Hold Open Houses as necessary