

Polk County Planning Commission
Polk County Courthouse
First Floor Conference Room
850 Main Street
Dallas, Oregon
February 15, 2011

The following are the minutes of the Polk County Planning Commission meeting held February 15, 2011 in Dallas, Oregon:

1. CALL TO ORDER AND NOTE OF ATTENDANCE:

Chair Slyh called the meeting to order at 7:00 p.m. and noted attendance.

Present: Bob Slyh, Jim Morrison, Wayne Simmons, Bill Farmer, Michael Schilling and Lee Herzberg.

Staff: Austin M^cGuigan, Jerry Sorte and Coren Paris.

2. COMMUNICATION FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA:

None.

3. MINUTES OF MARCH 30, 2010:

Simmons stated that the date was incorrect that was in the first sentence of section number 5, which read, "...the Committee for Citizen Involvement (CCI) met on April 24, 2010...." The date will be corrected to March 24, 2010. Morrison motioned to approve the minutes as corrected, seconded by Herzberg. The minutes were approved unanimously.

4. WORK SESSION ON THE 2011-2012 PLANNING COMMISSION WORK PLAN:

McGuigan stated that the work plan had been considered by the Board of Commissioners (BOC) at a Tuesday morning meeting and the BOC concurred that all projects on the work plan were good projects and that they should be prioritized by the Planning Commission. Once the Planning Commission makes a recommendation on the priority and the list itself, then it will be taken back to the BOC and they will adopt a resolution finding that the projects are in the public benefit and interest. McGugian stated that several of these projects are substantially completed but need to be run through the public process. Once the work plan is formalized, those projects should be moved through quickly. McGuigan stated that once the Planning Commission's work plan is completed, the Committee for Citizen Involvement (CCI) will help the Planning Commission to get citizens involved in the projects that are prioritized.

The Group discussed the projects that were listed on the 2011-2012 Work Plan. Slyh stated that something he feels the county needs is a tool to try and limit the impacts or limit the people that are placing fill in zones where it will cause problems in the future. Slyh suggested that a permit be required prior to placing fill. McGuigan stated that there is permit for fill within a floodplain that is required, but a general fill permit is not required. Slyh stated that if there is a general provision in place for a fill permit within the county so that Polk County could go out if dirt is being moved around and put a stop to it prior to it being a huge issue and costing the owner a lot of money. McGuigan stated that his concern is implementation cost. Polk County requires that if more than one acre is disturbed, the owner of the property is required to go through Department of Environmental Quality (DEQ) and have the state review the bigger projects. McGuigan stated that his concern is if Polk County had similar process for small projects, how would Polk County implement and pay for enforcement on those projects. Slyh would like to bring the matter to the BOC and see if there is a reasonable resolution. McGuigan stated that he thinks it may belong in the building code regulations rather than in the planning and zoning ordinance. McGuigan stated that he would be willing to bring it up to the BOC and see if they have any interest in pursuing that. Slyh would also like to explore methods to incorporate new language in the floodplain ordinance regarding placing fill in the floodplain.

Simmons stated that he would like to continue to look at House Bill 2229 and add it to the Work Plan. Simmons feels that if laws get passed to make it less cumbersome that he would

like to explore it further. McGuigan stated the State is currently looking to do a pilot program in eastern or southern Oregon that could potentially be successful. They are looking at testing the Bill in an area that has soil classifications that would be more conducive of having a successful outcome. Once that is done, it would be easier to assess what will and won't work here. Once the State adopts rules, it will help determine how the County could benefit and what the potential negative outcomes could be. McGuigan stated that we can add it to the work plan after the Nonconforming Use Chapter 114 update and before the "Other" category.

Farmer stated that he has concerns about people having commercial events on property that is zoned Exclusive Farm Use (EFU). McGuigan stated that the legislature will be dealing with that this year and we would be able to deal with that after this legislative session. Farmer questioned if the County has been involved in dealing with this issue. McGuigan responded that there was a Farmland Activities Task Force that was coordinated through the Association of Oregon Counties (AOC) that several counties including Polk County participated in. The AOC has a draft bill and the Oregon Wine Growers Association has a similar bill. McGuigan stated that it will be work plan item that gets added after this legislative session.

Morrison motioned to accept staff recommendation for priority order of the 2011-2012 Work Plan including the House Bill 2229 addition, seconded by Farmer. The motion was approved unanimously.

5. COMMUNICATIONS FROM THE COMMITTEE FOR CITIZEN INVOLVEMENT:

None.

6. COMMUNICATIONS FROM THE PLANNING COMMISSION:

The Group discussed saving paper by emailing Planning Commission packets to the Planning Commission members rather than mailing them. Morrison motioned to have the Planning Commission packets sent to the Planning Commission members electronically, seconded by Herzberg. The motion was approved unanimously.

7. COMMUNICATIONS FROM PLANNING STAFF:

McGuigan stated that Jack Condon had resigned from the Planning Commission and the BOC would work to fill the vacancy hopefully within the next few months.

8. ADJOURNMENT:

The meeting was adjourned at 8:10 p.m.