

**Polk County Planning Commission
Polk County Courthouse
First Floor Conference Room
850 Main Street
Dallas, Oregon
March 30, 2010**

The following are the minutes of the Polk County Planning Commission meeting held March 30, 2010 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, Jack Condon and Lee Herzberg.

Staff: Austin McGuigan, Jerry Sorte and Coren Hale.

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

None.

3. MINUTES OF OCTOBER 6, 2009:

Morrison motioned to approve the minutes, seconded by Schilling. Slyh abstained from voting as he was not present at the meeting of October 6, 2009. The minutes were approved unanimously.

4. PUBLIC HEARING ON LA 09-03; POLK COUNTY ZONING ORDINANCE AND POLK COUNTY SUBDIVISION AND PARTITION ORDINANCE UPDATES:

Sorte stated that the purpose of the Public Hearing is for the Planning Commission to receive public testimony and consider changes to the Polk County Zoning Ordinance (PCZO) and Polk County Subdivision and Partition Ordinance to implement changes to state law. The Board of Commissioners (BOC) will hold a Public Hearing to consider this matter on April 21, 2010 at 9:00 am and make a final decision. Staff recommends updates to PCZO Chapter 110, 111 and 91 and repealing PCZO Chapter 179; Homestead Exception.

There was no public testimony for this hearing.

Morrison questioned if there was anything in the changes or updates to the chapters that was more restrictive than state law. McGugian responded that we are updating and making changes to our chapter to make it consistent with state law.

Morrison motioned to recommend that the BOC approve LA 09-06, which consists of: Repealing PCZO Chapter 179; Homestead Exception; and Adopting PCZO and PCSO amendments as presented in Attachments A, B and C, seconded by Farmer. The motion was approved by unanimous vote.

Slyh closed the Public Hearing at 7:17 pm.

5. WORK SESSION ON THE 2010-2011 PLANNING COMMISSION WORK PLAN:

McGuigan stated that the Committee for Citizen Involvement (CCI) met on March 24, 2010 and discussed the Planning Commission 2010-2011 work plan. McGuigan stated that he prioritized the tasks and the CCI agreed with the order that the tasks were in. The CCI was interested in House Bill 2229, which allows counties to re-designate areas that were erroneously zoned through the first acknowledgement process. McGuigan e-mailed them a copy of this House Bill and discussed meetings with DLCD and Oregonians in Action. The CCI is not recommending at this time that it be included as a work project, but it is something that could potentially be a work plan project once we have a model and work plan from some other jurisdictions where it would be easier to implement the first time around.

McGuigan summarized the tasks on the work plan. The first two tasks on the list have been completed at today's public hearing for LA 09-03. The next task is the Highway 51 and

Highway 22 Interchange Area Management Plan. This project is dependent on funding and ODOT putting together an Interchange Management Plan. Once this project starts, it will be the highest priority. The remaining tasks are all updating the following chapters in the Polk County Zoning Ordinance: Chapter 114, Chapter 112, Chapter 177 and Chapter 136. McGuigan stated that we are heading into a legislative session next year in 2011 and whether this is something that we want to tackle now or wait until after the 2011 session is dependant on staff workload. McGuigan added that one of the items is a zoning ordinance audit to clean up typographical errors, references that aren't valid, etc. McGuigan questioned if the Planning Commission had any other tasks to add to the list.

Slyh stated that he is interested in House Bill 2229 and the correction of zoning. McGuigan responded that he had concerns about the way that it is written and some of the assumptions that have to be made when you enter into that process. McGuigan stated that the test case should be in Eastern or Southern Oregon rather than in the Willamette Valley. Josephine, Deschutes and Harney Counties are interested and are working with DLCD to put together a model work plan to test House Bill 2229. McGuigan added that one of the pressing issues is the way that the state classified agriculture and forestry soils, which is an issue in the Willamette Valley. McGuigan added that 2229 states that you have to consider all of the areas that are eligible, not just specific properties. It also requires that it be through a periodic review process and if we are in a period review with DLCD, they may add work tasks, such as updating the Goal 5 provisions. DLCD has said that there are some other ways that we can do special projects where we wouldn't add the work tasks. McGuigan stated that another main component is how to fund this. DLCD is working with Oregonians in Action and a model county to provide a technical assistance grant to test it. McGuigan added that the bill requires that we consider some things, such as the carrying capacity of the land, the amount of water that is available, traffic impacts and other factors that were not on the table when we went through acknowledgement in 1983. McGuigan stated that without a good funding source and without knowing how these things would be interpreted, we could spend a lot of time and resources to get something that may not be beneficial to the citizens in the county. McGuigan added that he has hope that there is flexibility that may be gained in the land use program, which is positive, but he does not believe that Polk County should be the test case for it. The group further discussed House Bill 2229. McGuigan stated that it is his opinion that there are better ways for us to spend our resources at this time.

6. COMMUNICATIONS FROM THE COMMITTEE FOR CITIZEN INVOLVEMENT:

None.

7. COMMUNICATIONS FROM PLANNING COMMISSION:

None.

7. COMMUNICATION FROM PLANNING STAFF:

McGuigan stated that we have quite a bit of long range planning projects that we are working on, mostly involving the Hearings Officer. Current planning has been slow, but we are picking up as the busy season comes. Community Development is looking at budget cuts to the Planning Department and Building Department, but we are committed to continue to provide a high level of customer service.

8. ADJOURNMENT:

The meeting was adjourned at 7:53 pm.