



Marion County

OREGON

PLANNING COMMISSION

PLANNING COMMISSION

George Grabenhorst - Chair
Mike Fischer - Vice Chair
Stanley Birch
Ryan Evenson
Mike Long
Carla Mikkelsen
Gary Monders
Bill Sanders, Jr.

AGENDA

DATE: June 16, 2009

TIME: 6:30 p.m.

PLACE: Senator Hearing Room, Courthouse Square Bldg.

Present: Planning Commission members Grabenhorst, Fischer, Birch, Monders, Evenson, Sanders and Mikkelsen

Absent: Planning Commission member Long

1. Election of 2009 Chair and Vice-Chair

A motion was made and seconded to reappoint George Grabenhorst as Chair. The motion passed 7-0. A motion was made and seconded to reappoint Mike Fischer as Vice-Chair. The motion passed, 7-0.

2 Public hearings:

- Subdivision 09-001. Request for conceptual and detailed approval to subdivide 10.95 acres into 5 lots on property zoned AR (Acreage Residential) and located at 7795 Aumsville Highway SE, Salem.

Joe Fennimore, Principal Planner, presented the staff report. The PC discussed the existing and proposed water retention system, existing ponds on the property, and paved roadway requirements with Mr. Fennimore and John Rasmussen, County LDEP engineer.

Norm Bickell, 1190 Boone Rd. SE, Salem, testified on behalf of the applicant indicating they concur with the staff report findings and conditions. He added an engineer hired by the applicant will review all plans and coordinate additional review with the County Public Works Land Development & Engineering section. Mr. Bickell added the subdivision request meets all of the applicable criteria and regulations.

Dominick Spedak, 5850 Padick Lane SE, testified he is concerned with water shortage in the area. He has a 40 foot well installed in 2000 that does well, but this subdivision will affect the local water table. He concluded that he doesn't feel adequate information has been provided.

Margrit Eisenhunt, 7975 Aumsville Hwy., testified she is concerned with surface water and the ground slope due to the proposed new road. She mentioned the yearly full drainage ponds and excess water runoff and possible impact to septics. Ms. Eisenhunt testified she is also concerned with the proximity of the new road to her property, impact to the local water table, ATVs being used and the associated noise. The PC discussed the historic flow of water on her property.

Norm Bickell, in applicant's rebuttal, testified the wells will be deep as to not affect local septic systems and each lot will have a septic evaluation done by the County. He added the County as an ordinance that restricts the use of ATVs and violations should be reported to the County Code Enforcement section. Mr. Bickell concluded that the development will not be allowed to have the new road increase the flow of water or change historic runoff patterns or levels. The PC discussed septic sites and the existing culvert and driveway.

Margrit Eisenhunt was allowed to add to her testimony that she had to redrill her well when an adjacent subdivision was built. It had been at 40 feet but is now at 200 feet with 75 gpm.

Michael (last name not audible and did not sign in), 7905 Aumsville Hwy., was allowed to testify about a fence being required along the boundary of the development? Chair Grabenhorst replied fences are usually not a requirement unless there are extenuating circumstances.

The applicant did not request additional rebuttal opportunity. There being no further testimony, a motion was made and seconded to close the public hearing. The motion passed 7-0. A motion was made and seconded to grant conceptual and detail approval as outlined in the staff report, along with the 10 conditions of approval. Ms. Mikkelsen commented that she is concerned with building in SGO zones at all and feels like the restrictions seem like a lot when it rains so much but there comes a time each year when there is a lack of water in these areas. Chair Grabenhorst commented the group should discuss this when the SGO comes up for review.

- Review Proposed 2030 Population Forecast Information

Brandon Reich, Associate Planner, briefly explained the history behind this project and the purpose. He then discussed recent letters from the City of Keizer, a private citizen, and DLCD. These comments were primarily regarding the range scenarios for the larger cities. Mr. Reich indicated staff will be contacting certain cities, based on DLCD's comments, to make sure they understand the DLCD scenario range. The PC discussed Keizer's request for higher numbers, amount of developable land within Keizer, etc.

Dan Fleishman, City of Stayton, testified his city feels Marion County staff did an excellent job with this project and concur with the County's proposed projections.

Dave Brown, City of Keizer, testified the city accepts the low growth numbers but wants the County to adopt a range of numbers as the city is in Periodic Review, buildable lands inventory, etc. This makes it difficult to settle on a specific number and the city does not want an arbitrary limit.

Steve Ouhlman, DLCD, testified his agency supports the County staff work on the project to-date, but feels more work needs to be done. This agency concurs with the recommended number for the small cities, and the numbers for Stayton, Silverton, and Woodburn but wants a single number for Salem and Keizer. DLCD also prefers a single number as the total for the County.

Mr. Reich concluded that the PC has options at this point including closing the hearing but leaving the record open for additional comments and then a work session with the PC after discussions. He added

the PC could choose to continue or hold a new hearing or make a recommendation now. The PC briefly discussed the issues with Salem and Keizer. Mr. Reich stated that staff recommends more meetings with the cities of Salem and Keizer prior to the PC making any formal recommendations to the Board of Commissioners. A motion was made and seconded to close the public hearing but leave the record open for additional written testimony and directed staff to schedule a work session when the meetings have concluded. The motion passed, 7-0.

3. Work session on Fees and Charges

Sterling Anderson, Planning Director, reviewed the project having been assigned by the Board of Commissioners. The Board would like the PC to review fees and charges affecting development – is there anything the county can do, such as waive or defer fees, to help stimulate the local economy, specifically the housing industry? He then went through various articles and emails from other jurisdictions waiving or reducing fees, etc. The PC reviewed the material. Mr. Monders stated he has contacted approx. 10 builders who indicated the biggest complaint was the time spent going through the process, not really the amount of the fees. He added the builders he contacted seemed very interested in paying less fees up front and got quite a few questions on where the SDC fees go – what are they for? The PC discussed the issue and came to consensus that it will cost more for the County, long-term, to reduce or waive fees than it will be worth. Chair Grabenhorst commented he recommends deferring fees up front, similar to the City of Salem as discussed, and paying later. Ms. Mikkelsen added if fees are waived others must make up the difference whereas delaying fees to 60 days or so seems reasonable. The PC then discussed the use of economic development funds in Marion County and the use of these funds, for example, to make up for any funds lost by a waiver or reduction. A motion was then made and seconded to defer SDC and building permit fees for 60 days or until building permits are picked up, except for plan check. The motion also included the statement that the PC does not recommend waiving any fees. The motion passed, 7-0.

4. Other Business

Sterling Anderson explained the County is in the process of updating the Urban Zoning Ordinance and will soon be ready to schedule review by the PC. Mr. Anderson asked how the PC would like to proceed? Chair Grabenhorst suggested, and the rest of the PC agreed, to schedule three work sessions to begin review.

5. Adjournment.

There being no further questions or comments the meeting was adjourned.