



Marion County

OREGON

PLANNING COMMISSION

George Grabenhorst - Chair
Mike Fischer - Vice Chair
Patricia Fischer
Dan Goffin
Mike Long
Carla Mikkelson
Gary Monders
Ken Rasmussen

PLANNING COMMISSION MINUTES

DATE: January 15, 2008
TIME: 6:30 p.m.
PLACE: Marion County Senator Hearing Room

Present: Commissioners Grabenhorst, M. Fischer, Monders, Rasmussen, Mikkelson, and Long, Goffin and P. Fischer

Absent: None

Chair Grabenhorst called the meeting to order and reviews the rules and procedures for the hearings.

1. Public hearings:

- Review and recommendation of amendments to the Marion County Comprehensive Plan Urbanization Element, Urban Growth Management Framework Text and Land Efficiency Guidelines.

Les Sasaki, Principal Planner, provided background information on the history of the Growth Management Framework. He explained the purpose of these proposed amendments deal with general “housekeeping” issues, a remand issue from DLCD changing wording from “guidelines” to “standards” and modification to the guidelines by lowering certain requirements for some cities, identifies which cities, etc. Mr. Sasaki explained the Board of Commissioners held a public hearing at which an objection was made as to the appropriate process for review of these amendments. The Board hearing was continued and the matter referred to the Planning Commission. He added after the PC holds its hearing and receives testimony a recommendation to the Board should be made. The Board will then set a date to reconvene its public hearing with the recommendation from the PC. Mr. Sasaki gave a brief overview of several letters received regarding these amendments.

Kathleen Carl, PO box 13604, Salem, testified while reading her letter into the record that she advised the PC not to weaken the guidelines, there was not enough participation in revising the rules, Marion County is ag-based and will continue to grow and need the agricultural land. Ms. Carl then submitted two letters from other interested parties.

Lolita Carl, PO Box 149, Hubbard, testified she is a fulltime farmer and doesn't want the guidelines weakened as it will weaken the agriculture community. She concluded she is against the amendments.

Rick Kimball, 936 74th Ave. SE, Salem, testified he is opposed to the amendments.

Cindy Kimball, 936 74th Ave. SE, Salem, testified she doesn't want sprawling subdivisions and the County should preserve agricultural land.

Sharon Moore, 5304 Center St. NE, Salem, testified she has lived there since 1975 and likes the urban growth boundary as it is set, wants to keep the area beautiful, and everyone voted for Measure 49 so the PC shouldn't disregard the will of the people.

David Engen, 1145 14th St. NE, Salem, testified while reading his letter into the record that the price of food is increasing as well as global warming, and lowering housing densities harms the County and the cost of infrastructure becomes lower.

David Harrison, 585 Washington St. SE, Salem, testified he is a representative from the Audubon Society and cautioned against changes to the density guidelines which will increase greenhouse gas emissions, discourage healthy activity, etc.

Sid Friedman, 189 Liberty St. NE, Salem, testified 1000 Friends is concerned about the change in the framework affecting sprawl, local agriculture and the economy, neighborhoods in town, and no reduction in our carbon footprint.

Mr. Rasmussen asked about the "guideline"? Mr. Sasaki explained it is a tool, not a requirement, cities can use during density issues and land needs. It sets an example cities can follow to meet state requirements for residential land efficiency needs. They can use these guidelines as opposed to using the standards in the state goals, which are not very clear. The County's role is to assist cities as they go through plan amendments and need to meet county and state rules and regulations. Ms. Mikkelson asked if a city doesn't use the framework guidelines, what do they use? Mr. Sasaki responded the current rules don't give specific numbers and a city could negotiate with the County based on historical needs and the County may or may not concur. The PC then discussed briefly the review process.

Chair Grabenhorst asked which lands this affects? Mr. Sasaki responded new residential land outside urban growth boundaries. Chair Grabenhorst asked if these changes would change any urban growth boundary? Mr. Sasaki responded no, it actually clarifies the target a city should shoot for as is smaller for the smaller cities. Ms. Mikkelson asked if the cities still have to meet Goal 14? Mr. Sasaki responded yes.

- There being no additional testimony, a motion was made and seconded to close the public hearing. The motion was seconded and passed, 8-0. A motion was made and seconded to reject the new guideline changes outlined the staff report and recommend the Board leave the Framework Text and Land Efficiency Guidelines as-is. Mr. Goffin stated the changes weaken the process and complicates it putting more pressure on farmland allowing more homes and is not in the County's best interest. Ms. Mikkelson added just lowering the numbers by a small amount doesn't seem like much of a benefit by going down 1 unit. She

added the changes to the definitions seem ok. Mr. Goffin amended his motion to recommend the amendments regarding the DLCD remand and general housekeeping issues but not recommend changing the guidelines. After brief discussion Mr. Goffin withdrew his original motion and the motion to amend. Mr. Goffin then made a new motion to change dropping cities from the process and reducing the density numbers and the efficiency guidelines and recommending the DLCD and housekeeping changes. The motion was seconded but failed, 3-5. Mr. Fischer stated they all seem to agree to the DLCD and housekeeping changes and the issue is the change in the density number. He added lowering the number by 1-2 units doesn't seem like a big difference and isn't sure the County should dictate to each city, while some areas must drop in density requirements. The PC briefly discussed the density issue. Mr. Sasaki added Goal 14 deals with buildable acres. Mr. Fischer stated part of the problem is people living in the urban growth boundary areas fight density and people living outside in the rural area want everyone else living inside city limits. Mrs. Fischer added the goal is to work with everyone for a good decision. The PC then discussed the changes not appearing to be significant but collectively the change could be significant and the methodology and purpose of the proposed guidelines. Ms. Mikkelsen stated the County should keep the guidelines as-is and not change them to create a more long and drawn-out process. The PC discussed how the numbers were devised.

A motion was then made and seconded to accept the recommendations of staff and recommend to the Board option #2 outlined in the staff report. Mr. Rasmussen asked how often the framework is reviewed and Mr. Sasaki responded there is nothing scheduled but review is done on a regular basis and based on urban growth boundary amendments and when necessary. He added there have been only 2 cases recently and both met the current guidelines. Mr. Sasaki stated Salem's will need to be revised due to the change in the Salem Future's plan. Mr. Long suggested looking at changing the population size range instead of the density guidelines. The PC briefly discussed but did not concur. The motion passed, 6-2.

- SUB07-16. Request for conceptual and detailed approval to subdivide 14.86 acres into 7 lots. The property is zoned AR (Acreage Residential) and located in the 11,600 block of Steinkamp Road SE, Aumsville. (T8S; R1W; Section 33B; tax lot 1700).

Joe Fennimore, Principal Planner, reviewed the staff report for the record.

Bill Martinak, applicant, 15556 Coon Hollow Rd., testified he met with County Public Works and reviewed their requirements, which he will be able to meet or even exceed, as well as the staff recommended conditions of approval. Ms. Mikkelsen asked about septic locations being too close? Mr. Martinak responded the current proposed location takes into account topography issues and the actual location will be determined by the County sanitarian.

Dan Snyder, 715 Ewald Ave. SE, Salem, testified he owns adjacent property and is concerned about water. He added his well, dug in 1983 with irrigation water rights, has 65 gpm for his 5 acres, 2 of which he sold to his daughter who uses the well. Mr. Snyder testified they are putting in a 500 foot addition and will need more water but with 7 new wells being proposed and accessing the aquifer he uses he is concerned if it will affect his well. The PC briefly discussed how Mr. Snyder acquired irrigation water rights and the

current non-farm use of his property. Mr. Fennimore provided background on the hydro review the application passed as the property is in the SGO zone.

Marie Schwindt Driods, 8293 Golf Club Road, testified she is concerned about more wells in the area as she has a few cattle. She indicated she was not sure how deep her well is or the gallons per minute but it has a high sulfur content at times.

Jack Yarbrough, PO Box 20156, Salem, testified he has 4 lots in the area and those wells run at 96-110 gpm.

During applicant rebuttal, Mr. Martinak testified the proposal was reviewed by the County's hydrogeologic peer reviewer who approved the test results, as outlined and required by the County. The review used 49 wells in the area which showed some decline but stopped in 1990 and has been monitored by Water Resources which indicated the aquifer is now recharging. Mr. Martinak testified Mr. Snyder's well is at 25 gpm based on his water right and he has a copy. He added there is another major irrigation well in the area a quarter-mile away at a depth of 385 feet, dug in 1978, and at 1300 gpm. Mr. Rasmussen asked if he will put in a CCR limiting the amount of irrigation each property has at no more than ½ acre? Mr. Martinak replied he would. Mr. Goffin asked how far out the hydro review went and Mr. Martinak replied up to the Stuckert irrigation well. The PC then discussed irrigation wells in the area and the applicant concluded the review covered the area they hydrogeologist felt would be impacted. Mr. Goffin commented he is still concerned even though the application passed review as the hydrogeologists don't know when the threshold will be hit.

A motion was made and seconded to close the public hearing. The motion passed, 8-0. A motion was then made and seconded to grant conceptual and detailed approval as recommended in the staff report, adding a condition of approval requiring the applicant to add a CCR limiting irrigation to ½ acre per lot as outlined in state law. The motion passed, 7-1.

- SUB/ADJ07-18. Request for conceptual and detail approval to subdivide a total of 1.09 acres into five lots and a major adjustment to allow both dwelling units of a duplex to derive their vehicular access the same street. The property is zoned RL (Limited Multiple Family Residential) and RS (Single Family Residential) and located in the 300 block of Elma Avenue SE, Salem. (T7S; R2W; Section 30CA; tax lot 5899).

Joe Fennimore reviewed the staff report for the Planning Commission.

Norm Bickell, 1180 Boone Rd. S, Salem, testified on behalf of the applicant and stated it is a difficult property to develop as it was originally railroad right-of-way and very narrow. He concurred with the staff report and recommendation and added additional parking will be identified later during development. Mr. Bickell stated the applicant disagrees with Public Works' requirement for improvement along an area not used by the subdivision. He added he is requesting an additional condition of approval that final design be consistent with the intent and any changes can be approved by the Planning Director. Mr. Bickell also requested another condition that the PC state it does not support the PW requirement to improve Hudson Ave. Mr. Bickell testified he contacted the garbage collector who agreed to allow garbage cans to be located in a paved area together. The PC then discussed the location of

water and sewer in the area and Mr. Bickell indicated the subdivision will connect to Elma to the north. The PC then discussed uses in the area, storm drain, building envelope and where to locate parking on the east or west side. Mr. Bickell responded the development can meet the 2-space requirement with additional parking identified later. He added these are very large lots by today's standards. The PC then discussed various parking options.

There being no further testimony, a motion was made and seconded to close the public hearing. The motion passed, 8-0. A motion was then made and seconded to grant conceptual and detailed approval as outlined in the staff report and adding a condition of approval as requested by the applicant that there be no required improvement to Elma Ave. NE. The motion passed, 8-0.

2. Adjournment.

There being no further business, the Chair adjourned the meeting.