



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

George Grabenhorst - Chair
Mike Fischer - Vice Chair
Paulette Alexandria
Stanley Birch
Glenn Holum
Mike Long
Carla Mikkelson
Gary Monders
(vacant)

DATE: January 24, 2012
TIME: 6:30 p.m.
PLACE: Marion County Board of Commissioners Hearing Room

Present: Mike Fischer, Gary Monders, Mike Long, Stanley Birch, Glenn Holum and Paulette Alexandria, George Grabenhorst and Carla Mikkelson

Absent: None

Chair Grabenhorst called the meeting to order and moved the 2012 Elections agenda item to #2 and proceeded with the public hearing.

1. Public hearing on proposed revisions to Marion County Code (MCC), Title 17 (Rural Zoning Code).

Joe Fennimore, Principal Planner, reviewed the staff report, indicating the Board had adopted a resolution starting this review process back in November, and the PC had a meeting to discuss the review process in December, 2011. Mr. Fennimore then briefly went through each chapter with major changes including additions to winery regulations prohibiting restaurants. Chair Grabenhorst asked what happens to those wineries that already have restaurants and Mr. Fennimore replied they could apply to keep them. Mr. Fennimore continued that most of these changes are from state law and must be applied as written. Solar array systems are now allowed on certain structures and a policy has been added regarding cell phone towers. Ms. Mikkelson pointed out a few typographical errors. Mr. Fennimore continued with the farm zones where the same change has been added to each regarding cell phone tower regulations, change in farm income to justify a dwelling, move winery regulations to a different chapter, irrigation reservoirs have been added as a utility facility, rural fire station locations, home occupation parking provisions, extensions (members asked a few clarifying questions on future extensions), and floodplain regulations on docks and wetproofing. Mr. Fennimore stated the last chapter on signs had changes only for signs at the Aurora Airport. Staff met with the community at the airport and had concurrence on the changes. Ms. Mikkelson replied she had contact with some property owners in the area that were not aware of the proposed changes and had concerns.

Mr. Fennimore reviewed the proposed regulations on agri-tourism outlined in Chapter 120, from SB960. He indicated the county can be more restrictive than the regulations from SB960 but not less restrictive. He briefly reviewed the four types of event permits: single event, once a year, six times a year, and 18 events per year and the criteria regarding

The relationship to farm use and impact to area. The PC asked about hours, how to interpret the number of people allowed and the PC all agreed the intent was a maximum number of people over the course of the event, unless otherwise specified. The PC also asked about a fee, the process and notice. Mr. Fennimore indicated staff would propose to use the standard conditional use fee of \$1250 and it would be a staff decision with notice being provided to neighbors when issued. The PC discussed the notification area and felt the standard 500 feet was not sufficient and how the process would work and Mr. Fennimore explained it would be similar to the conditional uses issued now. Discussion followed on the difference between the four permits and how these might be used by a property owner. The PC also discussed possible setbacks.

Kevin Thomas, 4135 Cloverdale Rd., testified he would like to offer weddings on his 4 acre parcel and tried to apply for a permit with the county, but is not currently allowed. He would like to hold 12 to 15 events of 250 or fewer people and found many similar operations statewide. He would like the regulations changed to include small parcels and other zones. The PC briefly discussed the zone and use of his property and expressed concern about where cars would be parked and proximity to neighbors and access. Mrs. Thomas added allowing these events would bring money into the community with attendees staying at local hotels, eating at restaurants, etc.

Roger Kaye, PO Box 3272, Turner, testified Friends of Marion County has reviewed the proposed amendments and recommended these events require a public hearing and would like to see additional restrictions regarding number of vehicles, 100 foot setback for riparian, and similar criteria as those established for the county's mass gathering ordinance. Mr. Kaye submitted a letter outlining his testimony.

Daniel Kerr, 2828 Zee Lane, Keizer, testified he owns a 72 acre farm near the shopping center and had hoped to combine heat and power generation to heat green houses to grow food in the winter to sell. He had applied to the county but was denied due to lack of specific information. Mr. Kerr testified he would like the zone code amended to allow power generation plants in the EFU zone. The PC asked questions regarding the size of generator, selling power, and the amount of cost versus being able to sell the power and crops cheaply. Mr. Kerr replied the size of the generator could be a few acres or fairly small. Mr. Fennimore explained the issue is selling power back to the grid and thereby becoming a power generating plant in an EFU zone.

Frank and Patty Ball, 13300 Parrish Gap Rd., testified they have a 51 acre parcel with 35 acres planted and 9 acres in pastureland. In the last few years they have allowed weddings on their property around their 1 acre garden area, with cars being parked in the pastureland. The county shut down their event business and they are here to support the event regulations, would like to see the applications done online and as quickly as easily as possible. Mr. Ball testified their neighbors are a quarter-mile away so the impact is minimal and holding these events has helped them deal with financial hardships. The Balls submitted a letter outlining their testimony.

Mr. Fennimore concluded that the PC has several options including making recommendations to the board, continuing or closing the public hearing, etc. The PC discussed the single event permit that is not a land use action, how these regulations might affect those testifying, and what constitutes a farm operation and Mr. Fennimore replied that will definitely require farm deferral. Ms. Mikkelson requested that the hearing record be left open for additional comments on the Aurora Airport sign changes, based on comments she has received from adjacent neighbors to the airport. Ms. Mikkelson made a motion and it was seconded that the hearing be closed to all but written comments regarding the proposed sign

code amendments and those comments be submitted within the next 30 days. There being no further discussion, the motion passed unanimously, 8-0.

Chair Grabenhorst asked for the PC's preference regarding the remaining amendments. Based on brief discussion, Chair Grabenhorst scheduled a work session to discuss the proposed amendments on February 7, 2012.

2. Proposed Planning Division Fee Increases.

Tami Amala, Planning analyst, explained staff has been working with the board on a proposed fee increase for the Planning Division. In addition, the engineering section has proposed fees to add to each land use application to cover costs associated with review. The proposed fee is an increase of approximately 10% each year for three years. The PC unanimously chose to review the spreadsheet outlining the fees to discuss at the next meeting.

3. 2012 Chair and Vice-Chair Elections.

A member nominated George Grabenhorst as Chair. The nomination was seconded and approved unanimously, 8-0. A second nomination was made to elect Mike Fischer as Vice-Chair. Ms. Mikkelson commented that sometimes it's good for a group to have change and she nominated Gary Monders as Vice-Chair. Mr. Monders declined the nomination. The nomination of Mike Fischer was then seconded and unanimously approved, 8-0.

4. Adjournment.

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