



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

George Grabenhorst – Chair
Carla Mikkelsen – Vice Chair
Stanley Birch
Mike Long
Rick Massey
Gary Monders
Dennis Person
(vacant)
(vacant)

DATE: March 15, 2016
TIME: 6:30 p.m.
PLACE: Senator Hearing Room, 555 Court St. NE, Salem

Present: Stanley Birch, George Grabenhorst, Dennis Person, Carla Mikkelsen, Mike Long, Rick Massey, and Gary Monders

Absent: None

Chair Grabenhorst called the meeting to order:

1. Public Hearing:

Receive testimony on proposed amendments to the Marion County Zone Code. Amendments are being proposed to comply with recent changes in state law, as well as other amendments proposed by staff. These amendments to the Urban and Rural Zone Code include changes to the state model code for resource zones, amendments pertaining to mobile food vendors, home offices, and paving standards in urban unincorporated communities.

No one appeared to testify or submit written comments.

Brandon Reich, Senior Planner, indicated as no public is present, he asked to defer reading the staff report and begin discussing the changes made to the proposed amendments after the last Planning Commission meeting. If anyone shows up to testify, he can go back and read the staff report. Chair Grabenhorst concurred and indicated the public hearing is open but testimony can be taken if anyone shows up.

Brandon explained there are 20+ amendments, which were discussed at the previous work session of the Planning Commission. Changes he made at the request of the Planning Commission, after that meeting, include:

- mobile food vendors: he added requirement (i) to obtain necessary licensing from the County Health Department.;
- proposed home offices: he added clarifying item (g), no customers or clients while conducting business, to allow for those times when people will come to the property for other non-business reasons;

- commercial and industrial lots: he rearranged the first sentence to clarify that this applies in the unincorporated community and not on single family lots, driveways, parking and loading areas but not other areas of the property. Brandon checked with other staff of Public Works regarding alternatives to asphalt and paving and provided an example of an alternative. Staff is proposing alternative paving materials as allowed by the Public Works Director. This provides a property owner with an option to gravel or asphalt. Notice was sent out to all property owners of commercial and industrial property in Brooks letting them know of the public hearing but he has not received any phone calls;
- criteria for expanding a non-conforming use: staff clarified that it is wholly on the same lot or parcel or adjacent lot or parcel, which is the intent. This is consistent with other areas and state law;
- agri-tourism: he provided the context for how it fits in with existing criteria. OSU Extension is doing an agri-tourism study for the county and they suggested the clarification and how it differs from a farm stand. It is a minor change but the desire is to be consistent. Chair Grabenhorst asked for clarification and Brandon reiterated that it will be listed at the beginning and then as part of the criteria;
- goats: request from a citizen to allow goats in residential areas. Brandon indicated the experiment the City of Salem was doing with allowing goats in parks did not work well and the goats ate native plants and there was problem with smell and containment. No one appeared to testify on this topic, including the citizen that requested the amendment. As a result, staff is not proposing to move forward with this suggestion. Chair Grabenhorst added that he feels the suggestion should be tabled. The other members all concurred.

Joe Fennimore, Principal Planner, added he has an issue to discuss – in the farm zones churches can be established and includes other associated uses under a certain size. This also includes cemeteries, which are a separate use identified in the zone. The question has come up that churches under 20,000 square feet are allowed in the AR (Acreage Residential) zone but cemeteries are not allowed. Joe asked if there was any interest in expanding the uses allowed with churches in the AR zone to include cemeteries. Chair Grabenhorst replied it sounds like the interest is in starting a small country church with the parsonage and other uses? Joe replied that was correct. Under the current regulations, the cemetery would not be allowed. He continued most parcels in this zone are 3-4 acres with a few bigger ones. Joe added over 20,000 square feet would require a conditional use approval. Members commented that based on the small size of the existing parcels, it does not seem like a good idea. Another member commented that it could also create a problem if the church were to move. Others concurred.

Chair Grabenhorst clarified that the Planning Commission options include to approve the changes and amendments, discuss, change any, or approve and send to the Board as a recommendation. Brandon replied he would like a recommendation that the changes be made, or be changed in some fashion, or recommend that any or all are not included in the Code. Chair Grabenhorst asked if any members have questions regarding any of the changes discussed at this meeting? There were no questions.

A motion was made and seconded to close the public hearing. The motion passed, 7-0.

Carla Mikkelson made a motion to accept the entire package as drafted by staff and approve it and forward it to the Board of Commissioners. Gary Monders seconded the motion. Joe Fennimore asked for clarification that the approved package does not include the requested change to allow goats and Chair Grabenhorst replied that was correct. The motion passed 7-0. Chair Grabenhorst asked that a copy of the final amendment package be sent to the Planning Commission.

2. Miscellaneous Updates

Joe Fennimore updated the PC that a subdivision request has been discussed and may come in for a public hearing in April. Chair Grabenhorst asked for any information on recreational marijuana, including what other jurisdictions are doing. Joe indicated he hopes to send information to the PC in the next several weeks.

Tami Amala asked members whose terms are expiring in 2016 if they were interested in serving another term. The group briefly discussed when terms were up and that the PC currently has two vacancies and east county and the Santiam Canyon are lacking in representation.

3. Adjournment.

There being no further business, the meeting was adjourned.