



# ***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  
Dennis Person

**DATE:** February 5, 2013  
**TIME:** 6:30 p.m.  
**PLACE:** Marion County Board of Commissioners Hearing Room

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

Absent: Paulette Alexandria

Chair Grabenhorst called the meeting to order.

1. Work session to discuss and deliberate received testimony on proposed amendments to the Marion County Rural Zone Code covering recent changes in state law and amendments proposed by interested parties and staff.

Joe Fennimore, Principal Planner, briefly explained the general purpose behind the staff proposed changes, by chapter. Ms. Mikkelson asked about the wind towers and what exactly they were? Mr. Fennimore explained they are single blade for personal use with surplus being sold back to the grid. There were no further questions on the proposed changes.

Chair Grabenhorst suggested taking all of the changes, with the exception of the proposal for events in the AR zone, and work on those first. The members concurred. Ms. Mikkelson made a motion that the Planning Commission approve the amendments proposed and recommended by staff, and to recommend the Board approve said proposed amendments. The motion was seconded and approved, unanimously.

Mr. Fennimore briefly reviewed the proposed change to the AR zone to allow event businesses. He reviewed the maps created by staff displaying a sample of AR-zoned parcels in the County, based on size. These maps were presented to the PC at the January 15<sup>th</sup> meeting. Mr. Fennimore briefly reviewed the proposal and how the process might work, if approved.

Chair Grabenhorst stated he does not like the proposal. He continued that if the Board chooses to approve the proposal, he feels the minimum lot size should be 5 acres or more and include some type of enforcement provision if a property owner fails to abide by all conditions of approval, and the enforcement should include the ability to levy a fine for violations. Mr. Monders stated he feels the proposal is not enforceable and will not work in

the AR zone. Ms. Mikkelson stated 26 events per year could occur, realistically, during a 4 month period which would end up to be every weekend and could even be two events per weekend all summer. She added if the Board chooses to approve the proposal, she would like to see it limited to 2-4 events during the summer, but objects to the concept of event businesses in the AR zone. Gary Monders added it must be done, if the Board chooses to approve the proposal, as a Conditional Use with neighbors notified prior to a decision by staff, but he also does not like the concept. Mr. Birch stated he is concerned with Code Enforcement not being available to respond to complaints from neighbors during the weekends. As such, it will be difficult to enforce as the Sheriff's Office does not have the manpower to respond. Mr. Monders added there are enough regulations in the zone codes that are very difficult to enforce and more shouldn't be added.

Mr. Person stated this proposal should actually be done as a home occupation and handed out a sample of changes he prepared from current home occupation regulations. Mr. Fennimore briefly explained the limits of home occupations, what they are, and that the resource zones are covered by state law. He added limited home occupations are very restricted and current home occupations processed through a Conditional Use also have conditions and a more complicated review process. Mr. Fennimore gave a few examples of typical limited and conditional use home occupations. The group briefly discussed this information. Ms. Mikkelson, to clear up confusion, reiterated that holding events is not a home occupation and that a property owner is allowed to hold personal events on his/her property.

Mr. Person made a motion to not approve the request to allow event businesses in the AR zone and also to form a committee to further study current home occupation regulations. Ms. Mikkelson responded the motion should be done as two separate items and Chair Grabenhorst concurred. Mr. Person amended his motion and restated as the PC recommend to the Board that the request to allow event businesses in the AR zone be rejected as written. The motion was seconded and approved, unanimously.

Mr. Fennimore asked if the PC, looking at various parts of the AR proposal, would consider providing specific feedback on those components? The members all agreed that lack of ability to adequately enforce the regulations, concerns with noise impacts to adjacent property owners, frequency and number of dates were the main areas of concern. Mr. Person suggested, if the Board chooses to approve the request, a per acre sliding scale be used starting at 25 attendees allowed per acre to a maximum of 300 attendees, including workers, staff, hosts, etc. The other PC members concurred with this idea. Another suggestion was that all events must cease at 8:00 p.m. with everyone off-site by 10:00 p.m. Another suggestion was that shuttle service to/from a parking lot to the event site not be allowed. Chair Grabenhorst added he feels the AR zone is a residential zone and was not set-up to include event businesses.

Mr. Person made another motion to form a committee to further review home occupation regulations in general. The group briefly discussed the idea and decided to review home occupation regulations. All of the members expressed an interest in discussing this topic and the PC unanimously decided to do this as a regular agenda item. Mr. Person withdrew his motion. The PC chose to discuss this topic at the next meeting scheduled for March 5, 2013.

## 2. Adjournment.

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