

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

November 23, 2009, 07:00 P.M.
City Commission Chambers - City Hall

1. Call to Order

Roll Call:

Dan Lajoie
Chris Groener
Carter Stein
Allan Dunn
Tim Powell

Staff Present:

Christina Robertson-Gardiner,
Associate Planner
Pete Walter, Associate Planner

2. Public Comment on Items not on the Agenda

Colleen Mihalik and Fred Haller of Oregon City said they owned property on Leland Road and were surrounded by property that had been going to be developed by Centex (in 2007) and was rezoned R6. Their property was R10 and now that Centex backed out of the project, R6 was too high of a density for the rural area. They proposed going back to R10 for all of the property.

Chair Powell said this issue would be put on a future agenda. Staff said they would review the record for the rezoning of the property and report back to the Planning Commission at the next meeting.

3. Adoption of Planning Commission Minutes

Draft 2007 Planning Commission Minutes

The August 13, 2007 minutes were illegible and would be brought back. The January 8, 2007 minutes were approved at the March 12, 2007 meeting and the March 12, 2007 minutes had the wrong year on the top of the document.

Chair Powell said there were several instances where the Commissioners were not identified in the discussion but he thought it was acceptable as all of the minutes had audio tapes.

Motion by Commissioner Paul Carter Stein, second by Commissioner Allan Dunn, to approve the backlog minutes from 2007 with the exception of the August 13, 2007 minutes. (Minutes included in motion: January 8, 2007;

January 22, 2007; March 12, 2007 Joint Hearing with HRB; May 14, 2007, June 11, 2007; July 9, 2007; July 16, 2007; July 16, 2007 excerpt; July 23, 2007; August 27, 2007; September 10, 2007; September 10, 2007 excerpt; September 24, 2007; October 8, 2007; October 8, 2007 excerpt; October 22, 2007; November 12, 2007)

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Paul Carter Stein, Commission Chris Groener, Commissioner Allan Dunn, and Commissioner Dan Lajoie voting aye. [5:0]

4. Public Hearing

L 08-01 (Review of Code Updates)

CP 09-01 Packet

Christina Robertson-Gardiner, Associate Planner, said when the City Commission approved the Code updates they placed two dates, November 9 for the Planning Commission and January 20 for the City Commission, to reopen the file for a six month update to see if any issues needed to be addressed.

She discussed the ramifications and implementation of regulating temporary membrane structures under 200 square feet. When they were under 200 square feet, it was a code enforcement education and the Commission needed to decide what was the best way to enact the Code in concert with the education program.

Chair Powell thought they should give it a year before they enacted the changes and it should be a nuisance instead of grandfathering anything in. The public education could be through the water bill, website, library postings, etc. The structure should not be seen from the public right of way.

Commissioner LaJoie said from the City's perspective one of the problems was solid waste and he thought a definition should be included for what could be allowed under these structures. Chair Powell wanted to make sure it was a licensed vehicle and operable. Ms. Robertson-Gardiner would consult the City Attorney about the suggestion.

Commissioner Groener wanted to make sure they differentiated between the membrane structures and metal structures. He thought RV's covered with blue tarps should be included also.

Commissioner LaJoie wanted to know how many complaints had been received from citizens regarding these structures and how many structures there were in Oregon City.

Ms. Robertson-Gardiner said currently if developers found archeologic resources on property they were developing, they were legally obligated to contact SHPO. SHPO had agreed to create a map that would show sensitivity areas to archeological resources and part of the submittal requirement for land use applications would be the contractor would get a recommendation from SHPO for what

monitoring should be done and turn the recommendation in with the application.

Another change would be upzoning commercial land in the South End area. She recommended taking this issue out of the code update process and make it a separate process and poll that area of the City to know what the citizens wanted.

The Commission agreed to make it a separate process.

Ms. Robertson-Gardiner said Tony Konkol, Senior Planner, would give them a Sign Code update at the next meeting and there were no time restrictions for working on that update.

Pete Walter, Associate Planner, said there had been discussion regarding a program to regulate trees outside the development review process on private property. Staff would work with the Citizens Advisory Committee regarding the program details. A draft annexation policy for tree protection had been written and could be brought back separately as a resolution.

There was discussion regarding participation in the Tree City USA process and if it included funding for long term maintenance of heritage trees on private property.

Mr. Walter said the Natural Resource Overlay District seemed to be working well. Some needed changes were: simplifying language for vegetation planting, specifying certain types of soil testing equipment and motorized could be used as long as it was a limited footprint, and differentiating between when an applicant must apply to the Corps of Engineers for jurisdictional wetland determination or when they could go through the Department of State Lands.

There were sections from the water service system which were updates from Bob Cullison's sewer regulations. Regarding street design, a clearer standard for approving constrained streets for minor partitions and small subdivisions was suggested. The Public Works department was working on the final draft of the Public Works Stormwater and Low Impact Development Manual. A section of the Code would recognize low impact development standards to receive some credit in the landscaping. This would also give partial credit for use of pervious pavement.

Regarding screening of mechanical equipment, an onerous piece of Code had been adopted that staff recommended taking out with respect to ground mounted above grade mechanical equipment. It was sufficient to say it would be screened by ornamental fences, screening enclosures, trees or shrubs that blocked at least 80% of the view and take out the requirement that the equipment not be installed within 100 feet of a street intersection.

Chair Powell said because of the City's topography, was there a way to screen the equipment from above. Ms. Robertson-Gardiner said the cost for screening from above was prohibitive and they were trying to encourage redevelopment. Roof gardens might be an alternative.

Mr. Walter said on wall mounted mechanical equipment they wanted to give the option to paint units to match the building as a fourth option for screening. An exemption from screening for solar energy, photovoltaic equipment, or wind power generating equipment was also suggested.

These changes would be brought back to the next Planning Commission meeting on December 14, 2009. The December 28, 2009 meeting was canceled.

5. Adjourn