MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, April 26, 2011

PRESENT: Keith Kudrna, Chair
Jack Mc Giffin, Vice-Chair
Gary Stonewall
Steve Kaufman
Jan Shearer

ABSENT: Julius Arceo
Ed Jones

STAFF: Lindsey Nesbitt, Senior Planner
Erika Fitzgerald, Associate Planner
Devree Leymaster, Admin. Program Coordinator

1. **CALL TO ORDER**
Chair Kudrna called the meeting to order at 6:30pm.

2. **CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**
Chair Kudrna inquired if any person would like to speak on a non-agenda item, hearing none moved to review of minutes.

3. **REVIEW AND ADOPT MINUTES**
March 22, 2011 were approved as written by consensus.

4. **PUBLIC HEARING**
   a) **11-8-ZA**
   City of Fairview
   Final Plat Extension

Chair Kudrna read the Legislative Hearing Statement; hearing no conflicts of interest or ex-parte contact by the Commission, the hearing began with Senior Planner Nesbitt reviewing the proposed ordinance (10-2011). The ordinance would grant a third one-year extension for preliminary plats approved in 2007 and 2008.

Chair Kudrna inquired if any person would like to speak in favor of, opposition of, or neutrally about the discussion item. Hearing none, Chair Kudrna opened the floor for Commission discussion. Hearing none, Commissioner Kaufman moved to recommend approval of 11-8-ZA, Final Plat Extension, to City Council for adoption; Commissioner Stonewall seconded; Chair Kudrna called for a roll call.

Ayes: 5
Noes: 0
Abstained: 0

Recommendation for approval of 11-8-ZA, Final Plat Extension, to City Council for adoption was approved.

b) 10-59-ZA
City of Fairview
Sign Code Ordinance

Chair Kudrna recited the Legislative Hearing Statement; Commissioner Kaufman disclosed he had discussed sign code issues with local business owner Dean Hurford; as there was no objection to the ex-parte contact the hearing began with Associate Planner Fitzgerald reviewing the staff report.

Associate Planner Fitzgerald summarized the Commission had forward recommendations to City Council, City Council referred back to the Commission with direction to review business community concerns presented at the City Council hearing. Staff had met with local business owners and discussed their concerns and consulted with the city attorney. The resulting recommendations were to define scroll and flashing, redefine site, and revise electronic message center language to allow scrolling and prohibit flashing.

Chair Kudrna inquired if any person would like to speak in favor of, opposition of, or neutrally about the discussion item. Garth Everhart, 954 NE Clear Creek Way, Fairview, Oregon and Dean Hurford, 21935 NE Halsey St., Fairview, Oregon spoke in favor of the application and thanked Staff and the Commission for working cooperatively with the business community.

Commissioner Stonewall moved to recommend approval of 10-59-ZA, Sign Code Ordinance, to City Council for adoption; Commissioner Kaufman seconded; Chair Kudrna called for a roll call

Ayes: 5
Noes: 0
Abstained: 0

Recommendation for approval of 10-59-ZA, Sign Code Ordinance, to City Council for adoption was approved.

5. WORK SESSION

a) Natural Resource Improvement Project

Senior Planner Nesbitt presented recommendations for establishing minimum resource protection areas for No Name Creek and Fairview Creek. Staff worked with an environmental consultant, Pacific Habitat Services, researched shade cover requirements, and DEQ requirements for creek temperature in formulating the recommended 35-foot buffer. A 35-foot buffer would also aide in the reduction of pollutants, promote bank stabilization and provide habitat pockets.

Staff requested Commission feedback in designing the code language for natural resource regulations. Staff recommended permitting normal repair and maintenance for existing encroachments within the buffer, but prohibiting the demolition and rebuilding or expanding of an existing encroachment. The permitting process for work within the buffer would be: Type I, staff level, no public notice, i.e. native plantings, hazard mitigation, invasive removal, maintenance of public recreation facilities and Type II, staff level, public notice, appealable to

Planning Commission, and would allow minor development subject to limitations within the parameters of clear and objective criteria.

The Committee and Staff discussed reducing the buffer to 25-feet in areas where the buffer was highly degraded and allowing the extra 10 feet of developable area would ensure 25 feet were restored vs. nothing being restored. Commissioner Stonewall commented he would support a 25 foot buffer only if the entire buffer was improved. Chair Kaufman concurred and commented in some situations forgoing 10 feet for the restoration of 25 feet was acceptable when the option was nothing being restored.

Commissioner Shearer inquired if buffer regulations for No Name Creek and Fairview Creek should be separated due to differences in physical characteristics. She expressed concern for reducing the buffer below 35 feet and allowing items i.e. benches to be placed within the buffer.

Staff responded buffer improvements and mitigation requirements were triggered by development review. To correct existing property encroachments would require code enforcement.

Next step: Staff would present draft habitat assessment criteria and mitigation requirements at the May 24 work session.

b) Fairview Lake Dock Regulations

Associate Planner Fitzgerald presented revised dock standards based on Commission feedback at the March 22 work session. Dock width and length maximums and the method of measurement for each were discussed.

Commission direction to Staff was:

- Length – maximum 35 feet in total length and docks could not extend beyond 35 feet into the lake.
- Width – limit to 25% of the width of property at waters edge. Width would be measured at the width base.
- Include dock configuration figures with the code text.

Commissioner Kaufman recommended reducing the maximum width to 20% even if it meant some existing docks would be non-conforming. Commissioner Stonewall concurred. The Commission agreed changing the 25% limit to a 20% limit.

Next step: Staff would revise the draft regulations incorporating feedback received that evening and would begin the public outreach process.

6. STAFF UPDATES

a) Economic Development: strategy and work plan City Council work session June 1.
b) Parks: SOLV event successful at Fairview Woods Park, PRAC working on two-year work plan and Salish Ponds master plan, and drinking fountain installation at Community Park

7. TENTATIVE AGENDA - May 24, 2011

Work Session: Natural Resource Regulations

8. ADJOURNMENT

Meeting adjourned by consensus at 7:25pm.

Keith Kudrna, Chair

Devree A. Leymaster
Administrative Program Coordinator
Community Development Dept.

Date: 5/24/2011