



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, March 22, 2011

PRESENT: Ed Jones, Chair
Keith Kudrna, Vice-Chair
Jack McGiffin
Gary Stonewall
Steve Kaufman
Jan Shearer

ABSENT: Julius Arceo

STAFF: Allan Berry, Public Works Director
Lindsey Nesbitt, Senior Planner
Erika Fitzgerald, Associate Planner
Devree Leymaster, Admin. Program Coordinator

1. CALL TO ORDER

Chair Jones called the meeting to order at 6:30pm.

2. INTRODUCTION – Allan Berry, Public Works Director

Director Berry introduced himself to the Commission and briefed them on organizational changes and merging of Community Development and Public Works Departments.

3. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Jones inquired if any person would like to speak on a non-agenda item, hearing none moved to review of minutes.

4. REVIEW AND ADOPT MINUTES

February 22, 2011 were approved with spelling correction by consensus.

5. PUBLIC HEARING

10-56-ZA (L. Nesbitt) – continued from February 22, 2011

City of Fairview

Code Exception Process

Senior Planner Nesbitt requested withdrawing the application and closing the public hearing. Staff would resubmit at a future date. Commissioner Shearer moved to withdraw application 10-56-ZA and close the hearing; Commissioner Stonewall seconded; Commission agreed unanimously.

6. WORK SESSION

a) Natural Resource Improvement Project

Senior Planner Nesbitt reviewed prior direction received by the Commission. She noted Staff was working with the environmental consultant for determining the less than 50 -foot buffer protection area for No Name Creek north of and on HAP property and Fairview Creek from Halsey to I-84. Staff would present recommendations, concepts and mitigation options at the April 26 work session. Commissioner Shearer inquired if visual aesthetics were considered in

rating the resource. Commissioner Kaufman asked if water quality and temperature considerations were being taken into account. Staff responded both concerns were being evaluated and would be included in developing the appropriate resource protection buffer.

Senior Planner Nesbitt presented and requested feedback regarding the decision making process for within a 50-foot protection area.

- Type 1 was a staff level decision based on clear and objective criteria with no public hearing. Would be used for less intrusive type applications i.e. repair and maintenance of existing facilities. Commission requested bullet points 3 and 4 be simplified; limit expansion and add like-for-like clause.
- Type 11 was a staff level decision based on clear and objective criteria, but would require public notice and could be appealed to the Planning Commission. These applications would be for minimal disturbances within the buffer i.e. walking trail installation and would require mitigation. Commissioner Shearer inquired if regulations and application process would apply to Fairview Village. Staff responded no changes were proposed for Fairview Village buffer regulations.
- Type III required public notice, a public hearing, was a Planning Commission decision and appealable to City Council. This process was for more intrusive type applications i.e. building structures, parking areas, public utilities, etc. and would require submission of a habitat assessment and identification of mitigation areas. Goal was to avoid, minimize and mitigate.

Senior Planner Nesbitt reviewed potential code standards i.e. buffer averaging, allowing a percentage of encroachment, etc. Standards and examples would be provided at the next work session. Commissioner Kaufman recommended not using percentage for standards but feet. Commissioner Shearer was concerned protection areas could be degraded by allowing options. Staff responded sites would be reviewed on a case-by-case basis, goal was to do what made sense for that particular site, applicants would have to prove their point valid and provide a habitat assessment demonstrating where an encroachment could happen. There were only few vacant properties left that allowances would apply to.

Final comments by the Commission included specifying what was allowed and prohibited in a 75-foot protection area, identifying and listing what activities would be prohibited in a 50-75 foot protection area, and defining 'disturbance of ground cover.'

b) Fairview Lake Dock Regulations

Associate Planner Fitzgerald proposed dock standards based on prior Commission feedback taking into account existing conditions. Staff's goal was to not create non-conforming docks with the new regulations.

Proposed dock standards:

- Length – limited to 35-feet, measured end-to-end and included ramp in measurement. Representative of current conditions and what was in the water.
- Width – limited to 30% of property width at waters edge and limited walkway width to 4-feet. For lots with minimal property at water's edge allowed minimum dock width of 10-feet.

Commission discussion regarding width included keeping current 20% of property width at water's edge or increasing to 25%. Requested Staff provide numbers of non-conforming docks

created if increased to 25% and 30%. Measure dock width and walkway separate. Standardize minimum of 10-foot dock width allowed when property abuts water.

- 1 dock allowed per lot, shared docks would be permitted, and a minimum 5-foot set back from property lines.
- Materials not regulated but prohibited styrofoam and bead board.
- Accessory structures to docks: permanent structures prohibited i.e. boat house; boat lift allowed but would be included in total width calculations; and no permanent dock covers allowed i.e. roofs.

Commissioner Stonewall commented on interpretation of a permanent structure vs. a temporary structure and requested a definition of permanent structure be added. Chair Jones requested 'approved coatings only' be added to the material section. Commission and Staff agreed with requests.

Staff recommended requiring a dock permit and review for all proposed docks on Fairview Lake. Review would be a staff level type II process with specific criteria and standards. The Commission agreed.

c) Final Plat Filing Deadline Code Amendment

Senior Planner Nesbitt requested amending the code to allow additional 1-year extensions for plats approved in 08-09. Amendment would affect 3 properties allowing the current code extension of up to 3 years to be extended to 4 years. Request was based on the continuing impact of the economy on development.

Commission comments included being cautious with extensions and providing safety barriers for real estate cycles, extension fees, and current code requirements. Staff responded there were extension fees and applying with current codes was required for approval of an extension.

The Commission approved the request by consensus. The amendment required a public hearing, scheduled for April 26, recommending approval for adoption to the City Council.

7. STAFF UPDATES

- a) Economic Development:** Associate Planner Fitzgerald was the lead staff person for the program and would provide updates as the program and developments evolved.
- b) Parks:** Salish Ponds master plan moving slow, needed to resolve parking and impact of long term Glisan Street improvements; PRAC was developing their 2-year work plan; drinking fountain at Community Park would be installed soon; Staff was working with RSD on the Handy Park gazebo project; and alternative parking for the disc golf course had been resolved, the project was moving forward.

8. COMMISSION UPDATES

Commissioner Shearer requested meetings be scheduled consistently either the 2nd or 4th Tuesday of each month, unless circumstances required altering.

9. ELECTION OF OFFICERS

Commissioner Shearer nominated Vice-Chair Kudrna as Chair; Commissioner Stonewall seconded; nomination approved by consensus.

Vice-Chair Kudrna nominated Commissioner McGiffin as Vice Chair; Commissioner Stonewall seconded; nomination approved by consensus.

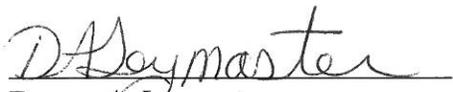
10. TENTATIVE AGENDA - April 26, 2011

- a) Public Hearing: Final Plat Filing Deadline Code Amendment
- b) Work Session: Natural Resource Improvement Project

11. ADJOURNMENT

Meeting adjourned by consensus at 7:50pm.

Ed Jones, Chair



Devree A. Leymaster
Administrative Program Coordinator
Community Development Dept.



Date: 5/23/11