



CITY OF LYONS

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PLANNING COMMISSION MEETING MINUTES NOVEMBER 14, 2019

Planning Commission Present: Chair Ginger Griffith, Sharon Durbin, Jerry Tabler, Ned Holt

Absent: Gaye Gibby

Employees Present: Micki Valentine – City Recorder, Dave Kinney – City Planning Consultant

Public Present: Jeff Peters

Opened @ 6:30pm by Ginger

Call to Order: Ginger introduces herself and invites commission members to introduce themselves. She reads that this is a public hearing to consider Land Use File #2019-04, a proposal from Jeff Peters to amend the Lyons Comprehensive Plan Map to add 1.5 acres to the Lyons Urban Growth Boundary (UGB). If the UGB expansion is approved, the applicant proposes to rezone the property to Single Family Residential zone (SFR) and annex the parcel to the City. Property is located in the 1700 block of Main Street.

Public Hearing: Ginger opens the public hearing @ 6:35 pm. She reads the agenda and detailed statement with the information required under ORS 197.763(5), is printed and available on the back counter.

Objections: Ginger asks for objections – there are no objections.

Declarations of Conflict of Interest, Bias, and Ex Parte Contact: None declared

Applicant Presentation: Jeff Peters provides a summary of what he would like to do. He has been unsuccessful in growing fir trees and unable to spray for a hay field. He has been getting a tax bill for the city but it isn't a half acre area so unable to build on it due to septic requirement. His child would like to build on the property. He is here to possibly expand the UGB to make it buildable.

Staff Report: Dave says Jeff has been working on this for 2 or more years between Linn Co. and the City to see what could be done to make it buildable. The property has to be a half acre or more to be buildable. The conclusion the County and City came to is to expand the City limits and include that area. This is a complex step by step process. It requires amending the UGB and changing the planning designation from farm/forestry in the County to residential in the City. The planning decision is first recommended by the Planning Commission to the City Council. If Council approves it, they adopt an ordinance, and then Jeff has to file an application with Linn County to amend their plan to agree with the City's. If Linn County and Lyons City Council adopts their ordinances then Jeff needs to come back to the City and Council needs to adopt another ordinance which is to change the zone to SFR and formally annex the property into the

City. The Dept. of Land Conservation & Development and the Fair Housing Council were sent notices. Jerry Tabler asks about including all of the property but Dave explains that is probably not a viable option because of the pond and wetlands. Dave said a comment was received from Jim Schuette that Lyons Mehama Water District should be able to service the site. Dave explains sewer is fine with a half acre lot and driveway isn't an issue since there is one there already. Linn County commented that if a house is going to be built they will need to look at driveway approach then. Linn County Planning Dept. commented that to inform property owner that they need to go to County if City approves. Linn County Roads Dept. commented that when house is built verify that the driveway approach is satisfactory. Dave recommends that Jeff's application is reasonable and it appears to be in compliance with the City's requirements and all the statewide planning goals and City's comprehensive plan. He needs to add detail to the report to make sure that when it goes to Linn Co. and the City Council it has sufficient detail in it and a good set of findings. He requests that the commission ask any questions, call for public comment, and then continue the meeting again sometime before the Council meeting on the 26th.

Proponent's Testimony (Persons in Favor): None

Opponent's Testimony (Persons Opposed): None

General Testimony: None

Questions from Commissioners: Sharon asks about how likely it is that we would have to redo the buildable lands report – Dave answers not this time. No other questions. Commissioners discuss house site and septic placement.

Ginger announces that the public hearing is continued to Tuesday, November 19th, 2019 at 6:30 pm.

Planning Commissioner Terms Expiring: Jerry Tabler and Gaye Gibby's terms expire at the end of December. Jerry says he would like to continue. Gaye Gibby is not present.

Next Meeting & Agenda Requests: Ginger announces next meeting on Nov. 19th at 6:30 pm to continue the hearing, and asks for any other questions – none.

Meeting adjourned @ 7:01 pm

PLANNING COMMISSION MEETING MINUTES
NOVEMBER 19TH, 2019
CONTINUATION OF NOVEMBER 14TH, 2019 MEETING

Planning Commission Present: Chair Ginger Griffith, Sharon Durbin, Jerry Tabler, Ned Holt, Gaye Gibby

Absent: None

Employees Present: Micki Valentine – City Recorder

Public Present: None

Re-Open and Continue Public Hearing from Nov. 14th: Ginger opens hearing at 6:45 pm and all Commission members and Micki are in attendance.

Staff Report: Ginger says that the Planning Commission has received an updated staff report which includes additional findings and supporting evidence from the Linn Co. GIS staff.

Proponent’s Testimony (Persons in Favor): None

Opponent’s Testimony (Persons Opposed): None

Questions from Commissioners: Ginger asks for any questions about the updated staff report – there were none. Ginger reads Chapter 19.05 of the Lyons Municipal Code includes application requirements, standards, and criteria for amendments to the Lyons Comprehensive Plan. The criteria that apply to this proposal are found in LMC Section 19.05.080. Ginger reads the approval criteria and asks if these have been addressed – commissioners agree they have. She asks for any questions – Gaye asks for exact location on map – Micki shows on map. Commissioners discuss land use. Ginger asks for any other questions – none.

Public Hearing Closes: Ginger closes at 6:54 pm.

Deliberations: No further comments made.

Motion #1 – *Sharon motions to adopt the staff report for File 2019-04, that includes the updated exhibits, findings of fact, conclusions and Planning Consultant recommendations and recommend the City Council amend the Lyons Comprehensive Plan Map to adjust the Lyons Urban Growth Boundary as shown on Map 1 and listed in Table 1 of the staff report and findings document dated November 18, 2019 – Ned seconds – motion carried with all in favor – none opposed.*

Motion #2 – *Sharon motions to recommend the City Council designate the 1.5 acres added to the Lyons UGB as “Residential” on the Lyons Comprehensive Plan Map – Jerry seconds – motion carried with all in favor – none opposed.*

Motion #3 – *Sharon motions to recommend the City Council forward the City’s Ordinance of approval to Linn County with a recommendation that Linn County concur with the City’s decision and take appropriate action to modify the Lyons UGB, amend the Linn County Comprehensive Plan and Linn County Zoning for the affected parcels – Ned seconds – motion carried with all in favor – none opposed.*

Motion #4 – *Sharon motions to recommend that if Linn County concurs with the City decision and modifies the Lyons UGB, that the City Council adopt an ordinance to annex 1.5 acres as listed in Table 1 and concurrently rezone the property annexed to the City as Single Family Residential (SFR) – Jerry seconds – motion carried with all in favor – none opposed.*

Commissioner’s Term Expiring – Micki asks Gaye if she wants to continue next year and she says she will retire and not continue. Ginger says if anyone knows someone that wants to be on the Planning Commission to let Micki know.

Meeting adjourned at 7 pm.

Transcribed by Carol Hendricks, Assistant City Recorder

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