

PHILOMATH PLANNING COMMISSION
MINUTES
August 20, 2018

1
2
3
4
5
6 **1. CALL TO ORDER.** Vice-Chair Lori Gibbs called the meeting to order at 7:05 PM in the
7 City Hall Council Chambers, 980 Applegate Street, Philomath, Oregon.

8
9 **2. ROLL CALL:**

10 **Present:** Commissioners Steve Boggs, Gary Conner, Jeannine Gay, Lori Gibbs,
11 and Mark Knutson.

12
13 **Staff:** Chris Workman, City Manager; Amy Cook, Deputy City Attorney; and Ruth
14 Post, City Recorder.

15
16 **Excused:** Commissioners David Stein and Jacque Lusk

17
18 **3. APPROVAL OF MINUTES:**

19 **3.1 July 16, 2018, Minutes**

20 **MOTION:** Commissioner Boggs moved, Commissioner Gay second, the July 16,
21 2018, minutes be accepted as presented. Motion APPROVED 5-0. (Yes: Boggs,
22 Conner, Gay, Gibbs, and Knutson; No: None.)

23
24 **4. PUBLIC HEARING:**

25 **4.1 File Number** PC18-09

26 **Applicant:** City of Philomath

27 **Application Type:** Zoning Code amendments to address accessory dwelling
28 units, applicable criteria regarding impact analysis requirements for environmental
29 assessments and updates to the Type III and IV application process.

30
31 Vice-Chair Gibbs opened the public hearing at 7:06 p.m. Ms. Cook read the rules for
32 testimony. Vice-Chair Gibbs requested any declarations of conflict of interest or bias
33 concerning the case file. No declarations were made and there was no rebuttal of the
34 declarations. Vice-Chair Gibbs read the order for testimony.

35
36 **Presentation of Staff Report:**

37 Mr. Workman explained that all of the amendments are under one planning file number
38 although the amendments are in two sections: 1) Accessory Dwelling Units (ADUs) and
39 impact statements, and 2) Notification requirements.

40
41 Accessory Dwelling Units: He stated the discussions from the recent Planning
42 Commission work sessions have been adapted into the proposed amendments. He
43 reviewed the recent State of Oregon statute changes that require the city to allow ADUs
44 in all residential zones. He summarized the provisions for allowance and regulation of the
45 ADUs that have been proposed to bring the City into compliance. He reviewed the
46 comments received from Commissioner David Stein that he submitted in his absence. He
47 explained that the primary requirement of the State statute is to allow ADUs in all
48 residential zones. He stated the asterisk section referred to in Table 18.35.020 by
49 Commissioner Stein has been added to provide clarity.

50
51 Mr. Workman reviewed the amendments proposed regarding religious uses as required
52 by the State statute. There was discussion about the non-taxable nature of religious
53 properties and the potential use allowed by the amendments.

1 Commissioner Gay questioned the proposed variance allowance under 18.35.100(B)(11).
2 Mr. Workman stated there may be an instance where infrastructure requirements would
3 make it necessary to allow a variance on a case-by-case basis to meet the spirit of the
4 code.

5
6 Application Submission Requirements – Impact Statements: Mr. Workman reviewed the
7 types of applications the Code identifies as described in the handout “Summary of
8 Proposed Amendments for PMC Chapter 18.105, Types of Applications and Review
9 Procedures”. He reviewed the proposed amendments to address properties that may
10 have an environmental impact issue. He explained that the applications that would
11 require a Phase I Environmental Assessment would only require a Phase II Assessment
12 if warranted by the Phase I results.

13
14 Commissioner Gibbs noted concerns about fill dirt that has been relocated in some areas.
15 There was discussion about areas that have known soil relocation that do require soil
16 compaction reports and the better tracking of that type of activity in recent decades.

17
18 Mr. Workman continued to review the proposed amendments for PMC 18.35.100,
19 18.110.050, and 18.115.040. He stated that although the Comprehensive Plan does have
20 some provisions for environmental issues but no specific goals identified, the Zoning Map
21 amendment criteria will capture the requirements in the application. He described the
22 over-arching goals that drive the Comprehensive Plan with the more specific
23 requirements being identified in the Zoning Code.

24
25 Type III and Type IV Application & Notification Requirements: Ms. Post reviewed the
26 summary of proposed amendments to the Type III and Type IV application and review
27 procedures. She emphasized that the proposed amendments were primarily additions to
28 the code to bring the two types of applications into agreement and noted the addition of
29 requirements to use the city’s website for notifications and reduction in the amount of text
30 required to be published in the newspaper. Ms. Post noted the proposed amendments for
31 PMC Chapter 18.135, Annexations, are to primarily make the notification requirements
32 consistent with other Type IV applications. She also noted that one minor amendment is
33 required to PMC 18.105.070 to provide an updated reference.

34
35 There was discussion about the use of the website for posting notices and the staff time
36 involved. Ms. Post explained the advantages of using the website to post public
37 information and the reduction in the number of public records requests for copies.

38
39 Mr. Workman cited recent public hearings in which requests were received for expanded
40 mailed notification areas and staff’s decision to look at those on a case-by-case basis to
41 determine if a larger area of residents would be impacted by an application and
42 warranted notice.

43
44 **Presentation of Proponents:**

45 None.

46
47 **Presentation of Opponents:**

48 None.

49
50 **Testimony of Neutral Parties, including Governmental Bodies:**

51 None.

52
53 **Rebuttal by the Applicant, limited to issues raised by opponents:**

54 None.

1
2 Mr. Workman waived the right to submit final written arguments on behalf of the City. Vice
3 Chair Gibbs closed the public hearing at 7:50 p.m.
4

5 **4.2 PC18-09 Discussion and Decision –**
6

7 **MOTION:** Commissioner Gay moved, Commissioner Boggs second, the Planning
8 Commission accept the proposed revisions to PMC Chapters 18.10, 18.35, 18,110, and
9 18.115 as identified in the amending documented dated August 15, 2018, and forward
10 them to the City Council for a public hearing and consideration. Motion APPROVED 5-0
11 (Yes: Boggs, Conner, Gay, Gibbs, and Knutson; No: None).
12

13 **MOTION:** Commissioner Boggs moved, Commissioner Gay second, the Planning
14 Commission accept the proposed revisions to PMC Chapter 18.105.050, 18.105.060,
15 18.105.070 for Type III and Type IV application procedures and Chapter 18.135 for
16 Annexations as presented in the amending documents dated August 15, 2018, and
17 forward them to the City Council for a public hearing and consideration. Motion
18 APPROVED 5-0 (Yes: Boggs, Conner, Gay, Gibbs, and Knutson; No: None).
19

20 Ms. Post announced that a public hearing on this application file will be scheduled before
21 the City Council for the Monday, September 10, 2018 meeting at 7:00 p.m.
22

23 Commissioner Gay stated she would not be at the September and October Planning
24 Commission meetings. She noted issues with the map provided for the September public
25 hearing on the Beelart application.
26

27 Mr. Workman provided an update on the recruitment for a new Planner and also
28 recommended members of the Commission consider attending the training offered by the
29 League of Oregon Cities on September 27 in conjunction with the LOC Annual
30 Conference.
31

32 **5. ADJOURNMENT:**

33 There being no further business, Vice-Chair Gibbs adjourned the meeting at 8:02 p.m.
34

35 SIGNED:
36 Lori Gibbs, Vice-Chair

ATTEST:
Ruth Post, MMC, City Recorder