

Minutes of the Veneta Planning Commission

February 4, 2014

Present: Len Goodwin, Kevin Conlin, Calvin Kenney, and Lily Rees

Abvent: James Eagle Eye

Others: Kay Bork, Community Development Director; Lisa Garbett, Associate Planner; Ric Ingham, City Administrator; and Darci Henneman, Assistant City Recorder, Eric Hample; Veronica Miller; and Matt Miller

I. Review Agenda

Vice Chair Len Goodwin called the Veneta Planning Commission to order at 7:00 p.m. He reviewed the agenda and asked for public comment.

II. Public Comment

Mr. Eric Hample 2910 McKenderick, Eugene, OR

Mr. Hample said yesterday, February 2, 2014 was the last day he could apply for an extension on his Labrador partition. He said he was in an automobile accident and has not be able to get around until today. He said he is here tonight to request the Planning Commission grant the extension.

Bork said Mr. Hample submitted the extension request one year ago and it was granted until February 2, 2014 which was Sunday. She said the Planning Commission reviewed and approved the extension without the stormwater requirements because his tentative plan met the standards at that time.

In response to a question from Len Goodwin, Bork said there have been no changes to the code since the last extension was granted.

Kevin Conlin said since there have been no material changes to the code and Mr. Hample only missed the deadline by one day, he doesn't see a problem with granting the final extension.

Len Goodwin said the Planning Commission could grant the extension tonight or ask staff to prepare a report to review and possibly grant at the next Planning Commission meeting.

Calvin Kenney said he would prefer to grant the extension now.

MOTION: Calvin Kenney made a motion to approve a final, one year extension for the Labrador LLC partition, M-1-07. Kevin Conlin seconded the motion which passed with a vote of 4-0.

Veronica Miller, 87889 8th, Veneta, OR

Mrs. Miller said she was very disappointed to miss the meeting to approve chickens because she wanted to give her input. She said she is appalled that chickens would be allowed on any size lot. She said her neighbor has chickens and they are annoying, noisy, and the smell is very unpleasant. She said she is very frustrated because she thought chickens are currently not allowed within City limits. She said she did some research and found that many unwanted chickens are showing up at shelters. She said hens only lay eggs for two to four years but can live over 10 years. Then what happens? And what about all those roosters? She said if the City decides to allow chickens and they become a nuisance, there's a potential for guns being in Veneta. She asked will the City dispose of them. She said a lot of planning will be needed to allow chickens; placement of the coop, inspections, etc. She said her neighbors left their dog outside in 7 degree weather. She asked what happens to chickens in 7 degree weather. She said she has so many issues with chickens in subdivisions. Her husband has worked graveyard and swing shift for 13 years so he sleeps during the day and their neighbor's chickens disturb his sleep.

Matt Miller, 87889 8th, Veneta, OR

Mr. Miller said allowing backyard chickens will create a lot of noise in the City.

In response to a question from Kevin Conlin, Mr. Miller said his neighbor's chickens start up at dawn. He said he gets home from work at midnight and the chickens wake him up at daylight. He said he is concerned about changes in the law that would allow chickens.

Mrs. Miller said the chickens are out clucking for hours at a time. She said her home borders five homes and she is concerned if chickens are allowed, all of her neighbors would be allowed to have chickens.

Ingham said staff will follow up on this issue.

III. Land Use Approval Extension Request for M-06-06 (Sproat Partition)

Bork said the request is made by Phil Velie on behalf of McDougal brothers. She said Mr. Velie realized he should have included this extension request with his previous extension request for the Bolton Hill Ranch subdivisions at the last Planning Commission meeting. Mr. Velie acknowledges that this request is late but nothing has changed at the site. Bork said this is a two lot partition.

In response to a question from Calvin Kenney, Bork said if City services are not available to a site, a septic system can be used. She said this property is on Jeans Rd. just inside the Urban Growth Boundary.

MOTION: Calvin Kenney made a motion to approve a final, one year extension for Sproat Preliminary Partition (M-06-06) with the new expiration date of February 14, 2015 and with the condition; final construction drawings will be in conformance with the City's current Stormwater Quality Standards. Lily Rees seconded the motion which passed with a vote of 4-0.

IV. Review and Comment: Final Draft Residential Buildable Lands Inventory and Housing Needs Analysis Report

Bork asked the Planning Commission to review the documents and provide feedback to her in the next couple of weeks. She provided the following timeline: Planning Commission will review and comment on the final report. She said once those comments, if any, have been incorporated into the document there's really no need to bring it for final adoption until the adoption of the EOA. She said there's no real urgency to have it done by the end of the month but she's hoping to get all Planning Commission comments so we can finalize the work products as part of the Comp Plan update.

Calvin Kenney said the report seemed very accurate and covered everything.

Lily Rees said it seemed to be complete.

Bork said the end results show that the City has adequate residential land and there's no need for a UGB expansion. She said as far as this product, corrections will be made but as we move further along in the Comp Plan update, the Planning Commission will review the policies under housing to ensure they are applicable and no changes are necessary. She said some changes may need to be made as far as demographics but those are separate and not part of this document.

In response to a question from Len Goodwin, Bork said all the recommendations or amendments can be made to the City Council for approval at the same time. She said she will check the schedule. She said it may be adopted separately but she will check with DLCD and report back to the Planning Commission. She said it depends on how we want to move forward.

Bork asked the Planning Commissioners to please email her with any comments or questions.

Len Goodwin asked that all comments be circulated to all Planning Commissioners so everyone can read staff's comments.

In response to a question from Kevin Conlin, Bork said she would like to receive all comments by the end of February.

V. Review and Comment: Scope of Work - Economic Opportunities Analysis and Implementation Strategy prepared by the University of Oregon, Community Service Center

Bork said staff contacted Bob Parker at the University of Oregon (U of O) Community Workshop to see if the graduate students would be interested in completing the Economic Opportunity Analysis (EOA) which is one of the tasks on our Comp Plan update. Mr. Parker said with his supervision, this would be a great project for his graduate students. Bork said the original scope of completing the EOA was expanded (within budget) to include a visioning component working with the community, City Council, Planning Commission, and interested parties to update the economic development vision for the City. Bork said many other documents could also be updated and conditions have changed so there may be opportunities to expand on that vision. They would also be updating the Comp Plan, policies and goals in the economic element, and bring it for adoption through the City Council and Planning Commission. All of these updates are within the \$25,000 the City has budgeted for that particular task.

In response to a question from Len Goodwin, Bork said she would arrange the meeting with staff as well as a meeting with the Planning Commission to discuss the findings regarding the inventory.

Len Goodwin also suggested perhaps the Planning Commission could act as an advisory committee on this project.

Calvin Kenney said that was a good idea.

Bork said the Planning Commission, in the past, has served in a similar role as the technical body to make recommendations to the City Council. She said a separate interest group could also be interviewed; business community, the Chamber of Commerce, First Call Resolution, and large property owners.

Len Goodwin said it would be appropriate for the Planning Commission to act as the advisory committee.

Bork said that makes sense rather than forming a whole new committee.

In response to questions from Len Goodwin, Bork said at this point she's not sure what approach Mr. Parker will take or if he plans to target certain industries. She said he did mention reaching out to other development players. She said stakeholders would identify where we think we can grow and how or where does Veneta want to position itself for development. Bork said Mr. Parker did not touch on method in developing employment projections.

Len Goodwin said we should discuss with Mr. Parker what kind of approach he will take with regard to employment projections. He said regarding McMinnville and Woodburn EOAs, there have been some questions raised at LUBA about the employment approach that CPW and CSC has taken on a couple of cases. He said he would hope that Mr. Parker would be instructed by the results of the Woodburn decision on how he proceeds. Len Goodwin said he's not sure he understands that the scope of work would include support by Mr. Parker's staff in developing either Goal 9 or Goal 14 findings. He said Goal 9 findings would be right within the scope of work to help support developing those kinds of things. He said it's unclear if we will need Goal 14 findings because there's no indication whether or not we need an expansion but it would be helpful to have a clear indication that in fact they would be able to support City staff in developing the Goal 14 findings in working with the City Council.

Bork said we'd have to budget for it and it would definitely be helpful to have Mr. Parker draft the Goal 9 findings.

Len Goodwin suggested Bork make sure legal counsel, Connelly is comfortable that the scope of work is something she can work with when we get to the point of carrying forward either a plan or a request for a UGB expansion.

Bork asked for clarification as far as the products developed, whether or not legal counsel would be able to review it for adoption?

Len Goodwin said the work scope will end up with a certain amount of products and ultimately it will be legal counsel's responsibility to help defend it if we end up in an appeal situation. He said the Junction City expansion is the only one in recent memory that has gone through without an appeal. He suggested staff check with counsel to make sure she's comfortable that the work will be legally defensible.

Bork said she's not sure if we can get to it through the work plan but legal counsel will definitely be consulted throughout the process.

Ingham said wouldn't we be better off having legal counsel draft the Goal 9 findings.

Len Goodwin said Mr. Parker can do a good job on drafting the Goal 9 findings and it may be more economical, but that would be Connelly's call.

Bork said Mr. Parker is doing a post acknowledgement plan amendment which may include the findings but it doesn't look like it. She said Mr. Parker references a stand-alone document for adoption. She said she would get clarification on that.

Len Goodwin said it may be through a Post Acknowledgement Plan Amendment (PAPA) and not periodic review.

Bork said it's another layer of expense.

VI. Other

Bork wanted to comment on the chicken ordinance. She said in 2011 after the City Council and Planning Commission reviewed the existing ordinance and gave some direction to amend the code to allow backyard chickens in all residential areas, the amendment was put on hold. Recently, the City Council directed staff to amend the code language to allow chickens in all residential zones. Staff would like to hold a joint work session with the City Council to review amendments and then schedule public hearings.

Bork stated the City Council chose to suspend enforcement until code amendments were discussed.

Kevin Conlin said it's a question of liability. He said its okay if a law is changed but what you're essentially telling the public is the law is something right now but we expect it to change in the future - which is speculative. He said that's not a good thing to do. He doesn't know where people are with respect to the changes they want to make. He said next month neighbors may be in compliance but right now they're not and they've been told the law has been suspended - this is not a good approach. The better thing to do is have the discussion, make the changes accordingly and then enforce it uniformly and evenly. Residents need to be able to read the law and know what it is they have a right to.

Len Goodwin said if the City Council directed staff to withhold enforcement, whether that power has been delegated, that's something the City manager deals directly with the Council on.

Kevin Conlin said you can't put it under review and rely on a technicality.

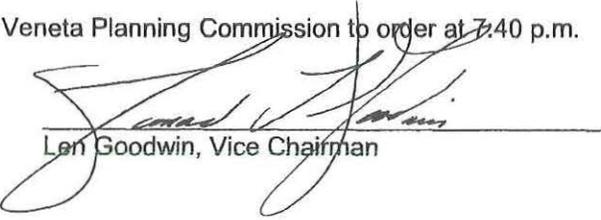
Bork said the City Council is wishing to have the amendment done in a short amount of time.

Calvin Kenney said his Home Owners' Association (HOA) prohibits chickens.

Kevin Conlin said he is willing to get feedback from neighbors and said many times when he asks questions of members of the public he is just establishing a line of communication.

VII. Adjourn

Vice Chair Len Goodwin adjourned the Veneta Planning Commission to order at 7:40 p.m.



Len Goodwin, Vice Chairman

ATTEST:



Darci Henneman, Assistant City Recorder