

**CITY OF SHADY COVE
PLANNING COMMISSION REGULAR MEETING
AND PUBLIC HEARING**

**CITY HALL, 22451 HIGHWAY 62
Thursday, March 10, 2016 at 6:30 p.m.**

Agenda

I. Call to Order

- A. Roll call.
- B. Announcements by Presiding Officer.
 - 1. This meeting is being digitally recorded.
 - 2. The next regularly scheduled Planning Commission meeting will be March 24 at 6:30 p.m. in the City Council Chamber.

II. Approval of January 14, 2016 Public Hearing Minutes

III. New Business

A) Public Hearing to Consider a 6-lot subdivision on a 2.71 acre parcel north of Schoolhouse Lane

Open Public Hearing.

A Public Hearing to accept public testimony and consider approval to allow a 6-lot subdivision on a 2.71 acre parcel north of Schoolhouse Lane, west of its intersection with Flower Street, Shady Cove, Oregon.

Assessor's Map No. 34-1W-10CC, Tax Lot 2402. Zoning is Medium Density Residential (R2), 6,000 SF minimum lots. Owner: Hannah's Ridge, LLC. Agent/Manager: Mike Malepsy File Number: SUB 15-02

- 1. Read Public Hearing Opening Statement.
- 2. If you would like to speak before the Commission, please sign the sheet on the table.
- 3. Jurisdiction Question.
- 4. Conflict of Interest.
- 5. Ex Parté Contact.
- 6. Site Visit.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

7. Staff Comments. (Converse)
8. Applicants' Testimony/Proponents' Testimony/Council Questions
9. Opponents' Testimony/Commission Questions.
10. Rebuttal
11. Final Staff Comments.
12. Close/Continue Hearing.
13. Deliberations/Discussion/Decision

IV. Commissioner Comments

V. Adjournment

City of Shady Cove Planning Commission Minutes

Public Hearing
Upper Rogue Community Center, 22465 Highway 62
Thursday, January 14, 2016

CALL TO ORDER

The Chair called the Planning Commission Meeting to order at 6:30 p.m. at the Upper Rogue Community Center (URCC).

Commissioners Present: Chair Paula Trudeau; Lena Richardson; Richard McGregor; Joyce Todd and Art Stirling

Staff: Contract City Planner Dick Converse; Planning Technician Debby Jermain

The Chair read the announcements listed on the agenda.

MINUTES OF DECEMBER 10, 2015

Motion to Accept the Planning Commission Minutes of December 10, 2015

Motion: Commissioner Richardson Second: Commissioner McGregor
All ayes. Motion carried 5-0

OLD BUSINESS

Continued Public Hearing to Consider Proposed Adoption of a Riparian Area Protection Ordinance

Chair Trudeau opened the continued Public Hearing to order at 6:31 pm to accept public testimony and consider a Comprehensive Plan amendment and Land Use Regulation amendment to adopt a riparian ordinance defining riparian corridors, regulating activities within the corridors, and establishing development review procedures. Planning File No. CPA 15-01.

No proponents.

Opponents' Testimony

Bob Farris, 595 Melrose Lane, provided the Planning Commission with 14 pages of questions he would like them to look at. He expressed concern the ordinance would take his right to cut his dead trees.

Bill Asbill, 22710 Hwy 62, submitted a written statement discussing the legality of a riparian ordinance. He stated that the riparian ordinance can only be for City and County owned properties, not private properties per the state and federal land patents held by the property owners.

Staff Comments: Contract City Planner Dick Converse stated Open Forum questions have been answered and are on the website to review and clarification

of ordinance changes have been made to the draft to make sure language in the ordinance is consistent with state law.

Commissioner McGregor received clarification from Pete Samarin, Fisheries Biologist, Oregon Department of Fish and Wildlife (ODFW) addressing the issues of mitigation. ODFW provides guidance to municipalities in Southern Oregon and will work with private citizens with valid reasons for encroaching into the riparian zone via mitigation.

Chair Trudeau closed the public hearing at 7:02 pm.

Commissioner Todd recommended some language changes to the draft ordinance.

Commissioner Stirling questioned planner Dick Converse if he was comfortable with the draft ordinance. Dick Converse stated he was comfortable that it was written consistent with other ordinances that have been adopted by jurisdictions.

Commissioner McGregor explained he doesn't have a great deal of excitement to get on board with the ordinance as it stands right now.

I move that the Planning Commission recommend City Council approval of Planning File CPA 15-01 to establish a Riparian Ordinance. My motion incorporates the findings of fact outlined in the staff report, together with the following recommended conditions of approval for Council consideration: further evaluation of the mitigation process and further evaluation of property rights law.

Motion by: Commissioner Richardson Second by Commissioner Todd
Roll Call: 4 Ayes, 1 Nay (Commissioner McGregor) Motion carried 4-1.

Commissioner Comments

None.

Adjournment

Chair Trudeau adjourned the meeting at 7:22 p.m.

Approved:

Attest:

Paula Trudeau
Chair

Debby Jermain
Planning Technician