

COBURG PLANNING COMMISSION AGENDA ITEM SUMMARY



AGENDA ITEM: Periodic Review Status

ACTION: None. For Review Only

APPLICABLE CITY ORDINANCES OR RESOLUTIONS: Ordinance A-199,
Ordinance A-200

STAFF: Kay Bork

Background

The City of Coburg Comprehensive Plan has been adopted and will become effective January, 2006 after going to Lane County Planning Commission. The City of Coburg Zoning Code will be effective after taking the December 19, 2005.

Recommended Action:

The Planning Commission may wish to take one of the following recommended actions:

1. Review Zoning Code for Completeness.

Attachments:

1. Zoning Code as adopted September 20, 2005

ATTACHMENT 1: Coburg Planning Commission

C. Conditional Use Permits

1. Purpose

Certain types of uses require special consideration prior to their being permitted in a particular district. The reasons for requiring such special consideration include, among others, the size of the area required for the full development of such uses, the nature of the traffic problems incidental to operation of the uses, and the effect such uses have on any adjoining land uses and on the growth and development of the City as a whole. All uses permitted conditionally possess unique and special characteristics, making impractical their inclusion as outright uses in many of the various districts herein defined. Locations and operation of designated conditional uses shall be subject to review and authorized only by issuance of a Conditional Use Permit. The purpose of review shall be to determine that the characteristics of any such use shall not be unreasonably incompatible with the type of uses permitted in surrounding areas and for the further purpose of establishing such conditions as may be reasonable so that the basic purposes of this Code shall be served. Nothing herein shall be construed to require the granting of a Conditional Use Permit.

2. Conditional Uses

Where the provisions of this Code do not expressly apply or where ambiguity exists, concerning the appropriate classification or procedure for the establishment of a particular use or type of development, that use or development may be established by a Conditional Use Permit in accordance with the provisions of this Section.

3. Criteria

A Conditional Use Permit may be granted only if substantive and probative evidence establishing specific findings of fact have been made that said Conditional Use Permit conforms to all of the following criteria:

- a. Conformity with the Coburg Comprehensive Plan, and with the City of Coburg Transportation System Plan.
- b. Compliance with special conditions established by the Planning Commission to carry out the purposes of this Section.

[Adopted A-133L 10/5/99]

4. Conditions

The Planning Commission may impose the following conditions to minimize conflicts between proposed and existing uses:

- a. Modify yard setbacks, coverage, and heights to accomplish specified ends.

- b. Screen unsightly development such as trash receptacles, mechanical apparatus, storage areas, or windowless walls.
- c. Require walls, fences, hedges, and screen planting to accomplish to specified ends.
- d. Require planting of ground cover or other surfacing to prevent erosion or reduce dust.
- e. Retain trees or other natural features for buffers, windbreaks, wildlife and fisheries habitat, livestock habitat, scenic corridors, or recreational use.
- f. Require adequate offstreet vehicular and bicycle parking and loading/unloading facilities.
- g. Modify access provisions for safety reasons.
- h. Modify sign requirements to meet specified ends.
- i. Require landscaping and lighting plans to accomplish specified ends .
- j. Require ongoing maintenance of buildings and grounds.
- k. Require adequate additional right-of-way and road improvements to promote traffic safety of vehicles, bicycles, and pedestrians.
- l. Require abatement of noise, vibration, and odors.
- m. Require a time limitation for certain activities.
- n. Require a limit on total duration of use.
- o. Using the six criteria found in the Historic Element of the Coburg Comprehensive Plan, require adequate guidelines and safeguards regulating the alteration or demolition of historically significant sites or structures to preserve the historic integrity of such sites or structures.
- p. Additional conditions which may be necessary to implement policies of the Coburg Comprehensive Plan, and the City of Coburg Transportation System Plan

[Adopted A-133L 10/5/99]

5. Compliance with conditions imposed in the Conditional Use Permit and adherence to the plot plan submitted, as approved, are required. Any departure from these conditions of approval and approved plans constitutes a violation of this Code.
6. Vested Interest in Approved Conditional Use

A valid Conditional Use Permit supersedes conflicting provisions of subsequent rezoning or amendments to this Code, unless specifically provided otherwise by the provisions of this Section or the conditions of the approval of the Conditional Use Permit.

7. Revocation

- if:
- approval, or
- a. Conditional Use Permits are automatically revoked without special action
 - (1) The Permit has not been exercised within two years of the date of
 - (2) The use approved by the Conditional Use Permit discontinued for any reason for one continuous year or more.
 - b. The City Council may revoke any Conditional Use Permit for failure to comply with any prescribed condition of the Conditional Use approval.
 - c. A hearing for revocation of a Conditional Use Permit may be requested of the Planning Commission by the City Council when the City Council is of the opinion any or all of the basis for revocation, as stated in this section, exist. Request for a revocation hearing shall be accomplished by submitting a letter to the Planning Commission stating the basis for requesting the hearing for the revocation. The Planning Commission shall then set a hearing for the revocation if they determine a hearing is warranted.
 - d. The public hearing notification and appeal procedure for revocation hearings by the Planning Commission and City Council shall be the same as those for original Conditional Use application hearings and appeals provided in this Section.

8. Limitations of Refiling of Application

Applications for which a substantially similar application has been denied or revoked for cause within the previous year, shall be heard by the Planning Commission after a separate determination that, for good cause shown, the application may be refiled.

COBURG PLANNING COMMISSION AGENDA ITEM SUMMARY



AGENDA ITEM: Paradise R.V. Sign

ACTION: OPTIONAL: Determination of Paradise Sign Permit

APPLICABLE CITY ORDINANCES OR RESOLUTIONS: N/A

STAFF: Petra Schuetz

Background:

Paradise R.V. has submitted plans for a second street level sign on Roberts Rd. This application was submitted after the designated date for the October 12, 2005 Planning Commission Meeting, therefore this will be an optional item depending on staff ability to complete a report prior to the meeting and Planning Commission approval to review.

Action: Determination of optional review by Planning Commission.

**COBURG PLANNING COMMISSION
STAFF REPORT**

Metro Western Sign & Awning Inc./Paradise RV Sign

I. BASIC DATA

File number: SR-4-05

Applicant: Metro Western Sign & Awning, Inc.
303 S. 5th St. Ste.115
Springfield, Oregon 97477

Property Owner: MBM Property Management
90711 Roberts Rd.
Coburg, Oregon 97408

Agent: Metro Western Sign & Awning, Inc.
303 S. 5th St. Ste.115
Springfield, Oregon 97477

Request: A site plan review application to allow a 2nd sign.

Property Location: 90711 Roberts Rd.

**Assessor's map
& tax lot:** 16-03-33-40, tax lot 1100

Zoning Designation: Light Industrial (LI)

**Comprehensive
Plan Designation:** Light Industrial (LI)

Applicable Criteria: Coburg Sign Ordinance, No, A-155, Section 8, IL,
Light Industrial zone & Section 35, Conditional Sign Permit, Coburg Zoning
Ordinance, No. A-133, Article IX, Section B, Site Plan Review Permit, Article X,
Section B, Land Development Procedures.

Report Date: October 12, 2005

Planning Commission

Meeting Date: October 12, 2005

II. REQUEST

The applicant is requesting approval to add a free standing sign, 20'x6" DF illuminated to the entrance of their leased property at Paradise R.V. at 90711 Roberts Rd.

III. STAFF RECOMMENDATION

Staff recommends Planning Commission approves sign permit with conditions of approval as put forth in the proposed Final Order.

IV. BACKGROUND

The subject property has one existing pole sign on the east side of the property with 396sq.ft. (Replacement signed 8.14.05). The request concerns the replacement of the existing 2'x3' plywood panel sign located at the west entrance to the RV sales lot. The property is zoned light industrial. The proposed sign will need to adhere to the Coburg Sign Ordinance, No. A-155 regulates placement of signs within the City of Coburg.

The following signs shall be allowed in the Light Industrial District:

- 1) *Each business shall be allowed one free-standing sign, with a maximum of 400 square feet for each side with a maximum of two sides. **A second free-standing sign is allowable with a combined total of both signs not to exceed 500 square feet per side.** The signs shall not exceed 470 feet in height above sea level or 47 feet above O.S.H.D. tablet stamped A-596, 1965.*
- 2) *Each separate business shall be allowed Traffic and Customer Control signs necessary to provide a smooth and orderly flow of traffic for safety control; subject to review by the Planning Commission under site review process.*
- 3) *Each multi-use industrial area shall be allowed one Identification Sign which shall not exceed 200 square feet per side and shall not exceed 15 feet in height above the crown of the fronting road or the curb, whichever is higher.*
- 4) *In addition to the signs set forth in Subparagraphs 1)-3) above, each building in the industrial district shall be allowed the following signs:*
 - a) *Each building shall be allowed a minimum of 300 square feet of signs.*
 - b) *Each building less than 40,000 square feet shall be allowed one square foot of signs for each lineal foot of building perimeter, with a*

maximum of 600 square feet of signs for each building, not to exceed height of building.

- c) Each building containing 40,000 square feet or more shall be allowed one square foot of signs for each 0.75 lineal feet of building perimeter, with a maximum of 800 square feet of signs for each building.

The Supplementary District Regulations also apply Coburg Sign Ordinance, No. A-155, Sections 9-16. Relevant sections to this application include:

SECTION 10: CERTAIN SIGNS PROHIBITED: *It shall be unlawful for any person to erect. Display or maintain, and no permit shall be issued, for the erection, display, or maintenance of any sign or advertising sign falling within the following descriptions:*

- 1) *Animated*
- 2) *Flashing*
- 3) **Outline Illumination to illuminate or accentuate a sign, sign structure, or building.**

SECTION 12: SIGNS NOT TO CONSTITUTE TRAFFIC HAZARDS, CERTAIN WORDS PROHIBITED...*no sign...shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision.*

CONSTRUCTION STANDARDS

SECTION 17: ILLUMINATED SIGNS TO CONFORM TO ELECTRIC CODES *(Building Department)*

SECTION 18: WIND PRESSURE AND SIEMIC AND DEADLOAD REQUIREMENTS *(Building Department)*

SECTION 19: SIGNS CLOSE TO STREET LINES MUST BE SMOOTH AND WITHOUT PROJECTIONS

SECTION 20: GOOSENECK REFLECTORS PERMITTED

SECTION 21: FREESTANDING SIGNS:

- A. *All letters, figures, characters or representations in uncut or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure and shall comply with all requirements in Section 28 [PERMIT ISSUANCE] of this Ordinance.*
- B. *No Freestanding Sign shall project or extend into any visual clearance area prescribed by any provision of this Ordinance. One or two sign poles supporting a freestanding sign may be located within the vision clearance area if they do not exceed a combined total width of 12 inches and if no other portion of the sign proper is located within the vision clearance are between 2 and 7 feet above grade.*
- C. *All posts, anchors, and bracing of wood shall be treated shall be treated to protect them*

- D. *All Freestanding signs shall conform to the requirements of Section 27 [PERMITS REQUIRED, INFORMATION NEEDED IN APPLICATION] of this Ordinance.*
- E. *All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of obnoxious substances, rubbish, and weeds.*

V. REFERRALS

Referrals were sent to:

- Coburg Public Works on October 11, 2005

Coburg Public Works stated that this application would not impact the Public Works Department.

VI. PROPERTY OWNER NOTICES

Notices were sent to all property owners within 100 feet of the subject property on October 12, 2004. This is a limited land use decision under the requirements of the Coburg Zoning Ordinance notice requirements and ORS 197.195 for notice of Limited Land Use Decisions.

No comments were received at the time of preparation of this staff report.

VII. ISSUES/DISCUSSION

- The existing on-site, free standing sign is 396sq.ft. The additional sign could be a maximum of 104sq.ft, bring the total within the allowed square footage to 500sq.ft. The requested sign is 75sq.ft. and is therefore within the maximum square footage for the two free standing signs.
- A condition of the sign would be an indication of illumination. The current code allows illumination, not "outline" illumination. Staff requests interpretation of outline. The current staff interpretation is that "outline" illumination refers to, for example, neon borders and outlined lettering. There is no clear definition in the existing Coburg Sign Regulation for the term "outline".
- According to the Construction Standards, a condition of the sign would need to address the width of the pole supports. According to the code, these supports must not have a collective width of more than 12".

VIII. POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Planning Commission may:

1. **Postpone any action of the Planning Commission to November based on date of applicant submission.**
2. **Move to continue the meeting to the November to provide the opportunity for the applicant to submit additional information and/or to allow for more deliberation.**
3. **Deny the Sign Permit Application. If the Planning Commission denies the request, it must develop adequate findings of fact to support this action.**
4. **Approve with conditions the Sign Permit application based on the findings of fact in the Proposed Final Order, or on the findings of fact as modified by the Planning Commission.**

IX. ATTACHMENTS

- A. Proposed Final Order

X. EXHIBITS

- A. Metro Western Sign & Awning, Inc. written statement, existing freestanding sign drawing, proposed sign design, site description, and 100ft. notice list to property owners.

ATTACHMENT A

PROPOSED FINAL ORDER of the COBURG PLANNING COMMISSION

SR-4-05: MBM Property Management /Paradise R.V.

A. The Coburg Planning Commission finds the following:

1. The Coburg Planning Commission has reviewed all material relevant to the MBM Property Management /Paradise R.V. Sign Permit that has been submitted by the applicant and staff regarding this matter for tax lot 1100, assessor's map 16-03-33-40, including the criteria, findings, and conclusions within the proposed final order and attached staff report.
2. On October 12, 2005, the Coburg Planning Commission reviewed the conditional sign permit and site review application for MBM/Paradise R.V. after giving the required notice as per O.R.S. 197.195(3), Coburg Zoning Code Article X.B., and Coburg Sign Ordinance, A-155.

B. The request for approval of the MBM Property Management /Paradise R.V. Sign Permit Sign Permit for the replacement of an existing free standing sign, tax lot 1100, 16-03-33-40, is approved subject to the following condition:

1. Obtain a separate building and electrical permit for the sign from the City of Coburg prior to installation of the signs on site.
2. The illumination may not include "outline" illumination to accentuate the sign.
3. The "palm trees" need to be safely and securely built or attached to the sign structure and shall comply with all requirements in Section 28 of the Coburg Sign Ordinance.
4. The sign poles supporting the freestanding sign may not exceed a combined total width of 12 inches and no other portion of the sign proper is located within the vision clearance which is above 7 feet above grade.
5. The installed sign shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of obnoxious substances, rubbish, and weeds.

C. IT IS HEREBY ORDERED THAT the Coburg Planning Commission approves the MBM Property Management /Paradise R.V. Sign & Site Plan Review based on the following criteria and findings of fact:

The following are findings of fact and state whether or not the proposed application satisfies the required criteria (in *italics*) found in the Coburg, Oregon Sign Code, Ordinance No. A-155, Section 8, IL, Light Industrial Zone, and the Coburg Zoning Ordinance, Ordinance No. A-133, Article IX.B.4.

CONFORMANCE WITH COBURG SIGN ORDINANCE, NO. A-155, SECTION 8), *Light Industrial Zone:*

Finding: The application meets this requirement. The applicant has submitted the appropriate applications for Planning Commission consideration of a Sign Permit.

SECTION 8

- 1) ***Each business shall be allowed one free-standing sign, with a maximum of 400 square feet for each side with a maximum of two sides. A second free-standing sign is allowable with a combined total of both signs not to exceed 500 square feet per side. The signs shall not exceed 470 feet in height above sea level or 47 feet above O.S.H.D. tablet stamped A-596, 1965.***

Finding: The existing on-site, free standing sign is 396sq.ft. The additional sign could be a maximum of 104sq.ft, bring the total within the allowed square footage to 500sq.ft. The requested sign is 75sq.ft. and is therefore within the maximum square footage for the two free standing signs.

- 2) ***Each separate business shall be allowed Traffic and Customer Control signs necessary to provide a smooth and orderly flow of traffic for safety control; subject to review by the Planning Commission under site review process.***

Finding: The application does not apply to this type of sign

- 3) ***Each multi-use industrial area shall be allowed one Identification Sign which shall not exceed 200 square feet per side and shall not exceed 15 feet in height above the crown of the fronting road or the curb, whichever is higher.***

Finding: This business is not a multi-use facility

- 4) ***In addition to the signs set forth in Subparagraphs 1)-3) above, each building in the industrial district shall be allowed the following signs:***
 - a) ***Each building shall be allowed a minimum of 300 square feet of signs.***
 - b) ***Each building less than 40,000 square feet shall be allowed one square foot of signs for each lineal foot of building perimeter, with a maximum of 600 square feet of signs for each building, not to exceed height of building.***
 - c) ***Each building containing 40,000 square feet or more shall be allowed one square foot of signs for each 0.75 lineal feet of building perimeter, with a maximum of 800 square feet of signs for each building.***

Finding: This does not apply to freestanding signs

Supplementary District Regulations, Sections 9-16

SECTION 10: CERTAIN SIGNS PROHIBITED: *It shall be unlawful for any person to erect, display or maintain, and no permit shall be issued, for the erection, display, or maintenance of any sign or advertising sign falling within the following descriptions:*

- 1) ***Animated***
- 2) ***Flashing***
- 3) ***Outline Illumination to illuminate or accentuate a sign, sign structure, or building.***

Finding: The sign complies because it is not planned to include outlined illumination. Standard illumination is an allowed use.

SECTION 12: SIGNS NOT TO CONSTITUTE TRAFFIC HAZARDS, CERTAIN WORDS PROHIBITED...no sign...shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision.

Finding: "Clear Vision" is described as between 2-7' above grade. The proposed sign begins at 7'6" above grade based on plan measurements and therefore conforms to the code.

CONSTRUCTION STANDARDS

SECTION 17: ILLUMINATED SIGNS TO CONFORM TO ELECTRIC CODES:

Finding: The Building Department will determine the structural and electrical integrity of the sign when building permit is reviewed.

SECTION 18: WIND PRESSURE AND SIESMIC AND DEADLOAD REQUIREMENTS:

Finding: The Building Department will determine the structural and electrical integrity of the sign when building permit is reviewed.

SECTION 19: SIGNS CLOSE TO STREET LINES MUST BE SMOOTH AND WITHOUT PROJECTIONS: All signs or advertising structures which are constructed on street lines, or within 5' thereof, shall have smooth surfaces, and no nails, tacks, or wires shall be permitted to protrude from there from.

Finding: The top of the "palm tree" at height 20'6" is clear of pedestrian level/street line and are characterized as being of curvature, yet remain smooth.

SECTION 20: GOOSENECK REFLECTORS PERMITTED

Finding: The plan does not include gooseneck reflectors

SECTION 21: FREESTANDING SIGNS:

A. All letters, figures, characters or representations in uncut or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure and shall comply with all requirements in Section 28 [PERMIT ISSUANCE] of this Ordinance.

Finding: The Building Department will analyze the structural integrity of the sign when building permit is reviewed.

B. No Freestanding Sign shall project or extend into any visual clearance area prescribed by any provision of this Ordinance. One or two sign poles supporting a freestanding sign may be located within the vision clearance area if they do not exceed a combined total width of 12 inches and if no other portion of the sign proper is located within the vision clearance are between 2 and 7 feet above grade.

Finding: "Vision clearance" is described as between 2-7' above grade. The proposed sign begins at 7'6" above grade based on plan measurements and therefore conforms to the code. A condition of the sign permit prescribes that the two poles be no wider than 12" diameter collectively.

C. All posts, anchors, and bracing of wood shall be treated shall be treated to protect them

Finding: This is not a wood structure

D. All Freestanding signs shall conform to the requirements of Section 27 [PERMITS REQUIRED, INFORMATION NEEDED IN APPLICATION] of this Ordinance.

Finding: The applicant must obtain a building permit before erecting the proposed sign and be in compliance with State Electric Code at the building official's discretion.

E. All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of obnoxious substances, rubbish, and weeds.

Finding: A condition of the proposed sign will be to maintain a clean, sanitary, and inoffensive condition of the sign, clear of obnoxious substances, rubbish, and weeds.

CONFORMANCE WITH COBURG ZONING ORDINANCE, NO. A-133, ARTICLE IX.B.4. SITE PLAN REVIEW

a. That the location, design, size, shape and arrangement of the uses and structures are in scale and are compatible with the surroundings.

Finding: The applicant's proposal meets this criterion. The location of the proposed replacement sign is compatible with the surroundings and adjacent commercial/industrial uses. The proposed sign will replace an existing sign along Roberts Road and will provide for better identification of services.

b. That there is a desirable, efficient, and workable inter-relationship among buildings, parking, circulation, open space, landscaping, and related activities and uses, resulting in an attractive, healthful and pleasant environment for living, shopping and working.

Finding: The applicant's proposal meets this criterion. The proposed sign will provide good visibility and name brand association with services provided in the Roberts Road area.

c. That there is no unnecessary destruction of existing healthy trees or other major vegetation, and that due consideration is given to the preservation of distinctive or natural features.

Finding: This criterion does not apply. No trees or major vegetation is proposed to be removed.

- d. ***That the quantity, location, height, and materials of walls, fences, hedges, screen planting and landscape areas are such that they serve their intended purpose and have no undue adverse effect on existing or contemplated abutting land use.***

Finding: This criterion does not apply. No walls, fences, hedges, screen planting or landscaping is proposed.

- e. ***The suitable planting of ground cover or other surfacing is provided to prevent erosion and reduce dust.***

Finding: This criterion does not apply. No plantings are proposed.

- f. ***That the location, design and size of the uses are such that the residents or establishments to be accommodated will be adequately served by community facilities and service or by other facilities suitable for the intended uses, in conformity with the Coburg Comprehensive Plan.***

Finding: The applicant's proposal meets this criterion. The new sign will provide service information to patrons of the businesses traveling Roberts Road or Pearl Street.

- g. ***That, based on anticipated traffic generation, adequate additional right-of-way and road improvements must be provided by the development in order to promote traffic safety and reduce traffic congestion. Consideration shall be given to the need and feasibility of widening and improving abutting streets and also to the necessity for such additional requirements as lighting, sidewalks, and turn and deceleration/acceleration lanes.***

Finding: This criterion does not apply. No traffic will be generated as a result of sign replacement on the vacant parcel.

- h. ***That there is a safe and efficient circulation pattern within the boundaries of the development. Consideration shall include the layout of the site with respect to the location and dimensions of vehicular and pedestrian entrances, exits, drives, walkways, buildings and other related facilities.***

Finding: This criterion does not apply. The subject site is vacant with no vehicular access points.

- i. ***That there are adequate off-street parking and loading-unloading facilities provided in a safe, efficient and pleasant manner. Consideration shall include the layout of the parking and loading-unloading facilities and their surfacing, lighting and landscaping.***

Finding: This criterion does not apply. No parking or loading areas are proposed to be developed.

- j. That the location, quantity, height and shape of areas of structures which define interior circulation and parking arrangements are suitable for their intended purpose.**

Finding: This criterion does not apply. No buildings are proposed to be constructed.

- k. That all signs and illuminations are in scale, and harmonious with the site and area.**

Finding: The applicant meets this criterion. The proposed sign will be internally illuminated. The main function of the sign will be to provide name brand advertising for services and products provided by businesses located in the Roberts Road area.

- l. That adequate methods are provided to ensure continued maintenance and necessary normal replacement of common facilities, uses, structures, landscaping, screening, ground cover, and similar items required to ensure compatibility with the surrounding areas and an attractive, healthful and pleasant environment within the development area.**

Finding: The applicant will be required to meet this criterion by keeping the sign in proper working order.

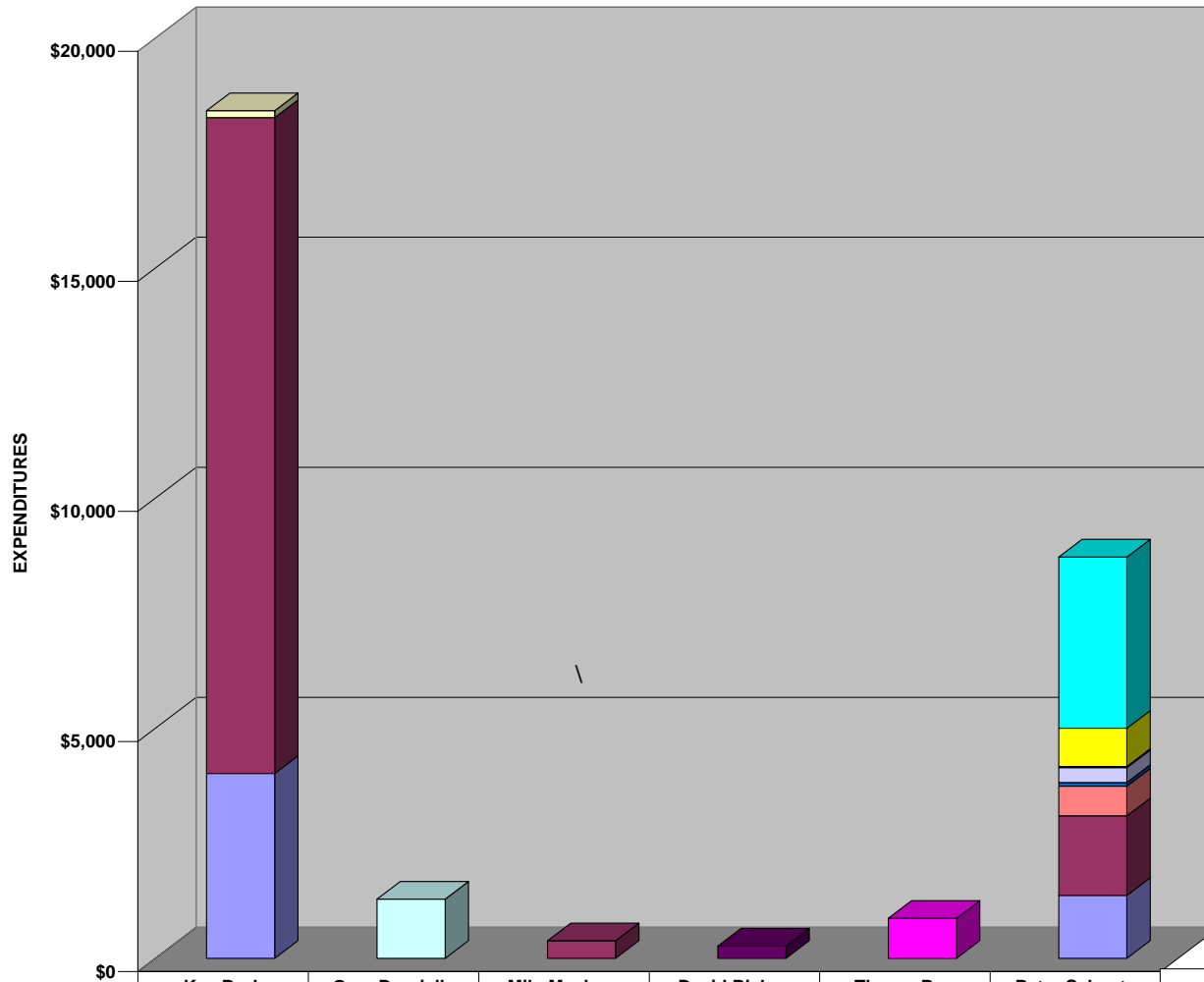
- D. This approval of the Property Management /Paradise R.V. Sign Permit Site Plan Review shall become final on the date this decision and supporting findings of fact are signed by the Chairperson of the Coburg Planning Commission. Anyone wishing to appeal a Planning Commission decision to the City Council must submit a written Notice of Appeal within 15 days of the decision. Unless appealed, the Planning Commission's decision becomes effective on the fifteenth (15) day after rendered.**

This approval shall be automatically revoked if any development for which a site review permit has been granted is not established within one year from the date of final approval.

Katie Thiel, Chair
Coburg Planning Commission

Date

COBURG PLANNING ASSISTANCE CONTRACT
 FY05-06 EXPENDITURES THROUGH SEPTEMBER 2005



	Kay Bork	Gary Darnielle	Milo Mecham	David Richey	Theron Roe	Petra Schuetz	TOTAL
STP-U Contract						\$3,721	\$3,721
Public Inquiries						\$830	\$830
Website Development					\$870		\$870
Preapplication						\$26	\$26
Core Team						\$322	\$322
Coordinate With Media						\$82	\$82
Boundary Line						\$645	\$645
Mapping				\$267			\$267
Code Assistance		\$1,287					\$1,287
Public Hearings	\$148						\$148
Periodic Review	\$14,253		\$382			\$1,727	\$16,362
Office Hours	\$4,017					\$1,369	\$5,386
TOTAL	\$18,419	\$1,287	\$382	\$267	\$870	\$8,721	\$29,945

STAFF



MINUTES

Coburg Planning Commission Regular Meeting

Coburg Municipal Courthouse – 32694 Pearl Street

Coburg, Oregon 97408

August 10, 2005 – 7:00 p.m.

PRESENT: Katie Thiel, Chair; Ken Donner, Vice Chair; Dan Claycomb, Cathy Engebretson, Pat Greenwell, Patricia McConnell, members; Petra Schuetz, Kay Bork, Kelly O'Neill staff.

ABSENT: Mike Watson, City Council Liaison

GUESTS: Sharon Gretch

Chairperson Katie Thiel called the Regular Meeting of the Coburg Planning Commission to order at 7:05 p.m. Planning Staff Petra Schuetz called the roll of members and stated that a quorum was present.

1. CHANGES TO THE AGENDA

Chairperson Thiel requested that the election of a Vice Chairperson be considered immediately. She determined there was no opposition to the request.

Chairperson Thiel nominated Commissioner Ken Donner as Vice Chairperson of the Planning Commission for the remainder of the term. There were no other nominations. Election of Mr. Donner was declared unanimous.

Chairperson Thiel left the meeting at 7:10 p.m.

Vice Chairperson Donner determined there were no further requests to change the agenda.

2. COMMENTS FROM CITIZENS

Janice Johnston, 33676 McKenzie View Drive, stated that she appreciated that her home was included within the Central Business District and commended the Commission for its work.

Chris Wilson, 91181 North State, said she was concerned that proposed Coburg Zoning Ordinance provided that no structural improvements were allowed within 10 feet of the centerline of an alley within the Central Business District. She explained that there were areas of the district

which did not currently meet the requirement. She asked if the regulation would allow improvement of existing facilities.

Commissioner Pat Greenwell explained that the reference applied to rear yards, not side yards, used as illustration by Ms. Wilson.

Staff member Petra Schuetz explained that a regulation only applied to development after its adoption, not those which were previously existing.

Staff member Kay Bork said it would be possible to identify property within the Central Business District that did not currently conform to the proposed regulation.

3. PUBLIC HEARING

Ms. Schuetz said the Planning Commission would conduct a joint Public Hearing with the City Council on proposed zoning code change and Coburg Comprehensive Plan Amendment on August 23. She said Commissioners and the public were invited to submit written comments regarding amendments until that date.

Ms. Bork noted that copies of a letter from Harold and Judith Volta had been distributed requesting that property located at 91020 South Willamette Street be included within the Central Business District map in the proposed Amendment.

Vice Chairperson Donner asked if all property owners within the area of the proposed Central Business District had been notified of its boundaries. Ms. Bork replied that it had been impossible to determine if such notifications had been made. Mr. Donner suggested that notifications be made to owners of all properties abutting the proposed zone changes be made.

Ms. Schuetz said that the Measure 56 Notice to all property owners served this purpose legally.

4. PLANNING DEPARTMENT REPORT

A. Cell Tower Facilities

Ms. Schuetz referred to the Agenda Item Summary and introduced Sharon Gretch, Zoning Manager for Pacific Telecom Services, who had been invited as a resource person regarding wireless communication service facilities. She noted that the Item Summary quoted Section 3329(c)(7) of the Federal Communications Act – "... State or local government(s) ... shall not prohibit or have the effect of prohibiting the provision of personal wireless services ..."

Ms. Schuetz said the Planning Core Team had agreed to propose that construction of cell tower facilities in Coburg be limited to the Light Industrial zoning district through the previous Periodic Review work session.

Ms. Gretch stated that she was prepared to answer questions of Commissioners.

Vice Chairperson Donner asked if Design Standards could be adopted for cell tower facilities.

Ms. Schuetz replied that she believed the facilities were similar to other standards for utility infrastructure and that there was some, but little influence on their aesthetic qualities.

Ms. Gretch circulated a map showing locations her company was considering for construction of cell tower facilities in Coburg. She also circulated pictures showing examples of cell tower facilities. She said the taller a tower, the more it was able to serve the needs of additional service providers, eliminating the need for additional towers.

Commissioner Patricia McConnell asked what controls the Planning Commission could have over cell tower facility construction. Ms. Bork replied that it was possible to limit their location, or prohibit them from certain zones, but not to ban them from being constructed within the City. She said height standards and certain design requirements could be imposed. She said applications for placement of towers would require the approval of the Planning Commission.

Commissioner McConnell said the Planning Commission had, in the past, discussed the desirability of protecting the Coburg “viewshed” of neighboring hills from such construction.

Ms. Gretch said her company considered such factors in its placement of cell towers.

Commissioner Dan Claycomb asked if it would be possible for the City to lease property for the location of cell towers. Ms. Schuetz replied that it would require that the ordinance allow such use in the Public Facility zoning district.

Commissioner Claycomb asked if it would be possible to learn what contracts for the lease of property for cell towers paid. A second representative of Pacific Telecom Services explained that it would be unethical for his company to reveal the terms of leases negotiated with property owners. He suggested that possible comparable arrangements were lease arrangements made by municipalities with private land owners for the location of water towers.

Ms. Schuetz stated that she would investigate if the cities of Springfield and/or Eugene had such arrangements.

Ms. Gretch distributed copies of a Fact Sheet regarding the construction and location of cell towers. She said she was willing to return at a later meeting to discuss further questions of Commissioners.

In response to a question from Vice Chairperson Donner, Ms. Gretch explained that her company was considering the construction of a free-standing tower in Coburg, since no vertical structure in the area was tall enough to make it beneficial to be used as the base for a cell tower.

Vice Chairperson Donner said the involvement of the Planning Commission in development of the Comprehensive Plan Amendment, had limited its consideration of cell tower facility construction. He suggested that since Commissioners were anxious to maintain the historic character of Coburg, it would be necessary to establish parameters for them in the near future.

Commissioner Greenwell said he believed the Planning Commission already had some control over cell tower construction because Conditional Use Permits were required if a proposed structure exceeded established height limitations in any zone. He also suggested that if towers were allowed in the proposed Public Facility Zone, additional “control” could be established.

Ms. Schuetz stated that background information and action alternatives would be prepared for consideration by the Commission at next meeting. Ms. Bork said an attempt would be made to provide the material by the August 23 joint Public Hearing.

Vice Chairperson Donner thanked Ms. Gretch for her presentations.

Commissioner Greenwell said he would like to explore the use of property owned by the City intended as the location of a sewer treatment facility as a site for the location of cell towers. He said he also appreciated the willingness of Pacific Telecom Services to assist the Commission in its considerations, but that he believed care should be taken to show no favoritism among potential wireless communications service providers.

B. Periodic Review Team Feedback

Ms. Schuetz referred to a document entitled “Coburg Central Business, Highway Commercial, Light Industrial, Campus Industrial, Definitions, Subdivisions, Comments and Feedback” distributed at the beginning of the meeting. She said it contained comments from the Core Team regarding questions raised about the identified sections of the Periodic Review. She noted that additional work still required on it was identified, as follows:

- Transportation Impact Analysis Trigger Investigation
- Adding New Definitions
- Formatting still has several problems
- Were TSP suggested Amendments Ever Adopted by City Council?

Ms. Schuetz referred to documents entitled “Definitions of Amusement Establishments” and “Example – Transportation Impact Analysis Requirements” distributed at the beginning of the meeting also distributed at the beginning of the meeting.

Commissioner Cathy Engebretson referred to Section 13.a of the proposed definition of the Highway Commercial District (C-2) and noted that it provided for pitched roof designs of new commercial buildings larger than 50,000 square feet. She said the Zoning Ordinance provided elsewhere that no building could be larger than 50,000 square feet. She also said it had been previously discussed that pitched roof construction for large buildings was problematic.

Commissioner McConnell referred to Section 10a of the proposed definition of the Central Business District and noted that it provided that the primary entrance of a building was not to be located more than 60-feet from the street to which it is oriented. She said there did not appear to be a designated spot from which the measurement was taken. Ms. Bork replied that it would be assumed that such measurement would be from the property line.

Commissioner Greenwell asked if it was true that the proposed definition of the Central Business District prohibited single-family residence construction. Ms. Bork replied that the current Coburg ordinance allowed such development, with a Conditional Use Permit, but that the proposed ordinance did not.

Commissioners offered recollections of Commission conclusions and other comments regarding the issue:

- Single-family residences would be allowed in the Central Business District with a Conditional Use Permit. (*Greenwell*)
- Single-family residences would not be allowed, but residential use would be encouraged as part of a mix-use development. (*Claycomb*)

- The issue was unresolved in the rush to completion of Commission work on the district. *(McConnell)*
- Single-family residences would not be desirable in the Central Business District. *(Donner)*
- Requiring Conditional Use Permit for single-family residential development would provide adequate control of the practice. *(Greenwell)*
- Allowing single-family residential development with a Conditional Use Permit should not have been eliminated from the Central Business District. *(McConnell)*
- Allowing single-family residential development was downplayed in the desire to encourage mixed-use development. There would be no purpose in having a Central Business District unless there was expectation that businesses would eventually locate in it. Single-family residential development should be prohibited along the main thoroughfares of the district. *(Claycomb)*
- Designating development oriented to the main thoroughfares of the district as off-limits for single-family residential development is appropriate, but doing so could create future issues. *(Greenwell)*
- It is easy to understand why it is preferable to not have commercial development in the residential districts, but it is not clear why residential development is not desirable in a commercial district. *(McConnell)*
- Requiring a Conditional Use Permit for development of all residential housing in the Central Business District could control its inappropriate occurrence. *(Donner)*
- It would be preferable to have single-family residential use of vacant Central Business District land than to require multiple-family development in other locations. *(Greenwell)*
- Filling vacant Central Business District property with residential uses would force future commercial development to less desirable locations. *(Claycomb)*
- Future conversion of a residential development to a commercial use would be easily accomplished and not require a zoning change. *(Greenwell)*
- It is unrealistic to expect that a high-priced home would be easily torn down to make commercial development possible. *(Claycomb)*
- There appears to be mediated agreement that single-family residential development should not be permitted on property oriented to the main thoroughfares of the Central Business District, that mixed-use development be encouraged, and that single family residential development be allowed with a Conditional Use Permit on property in the District not oriented to the main thoroughfares. *(Donner)*
- Criteria for determining approval of Conditional Use Permit applications for development of single-family residences in the Central Business District need to be created. *(Schuetz)* Suggestions can be made by the Core Team. *(Bork)*

C. Measure 56 Notice

Ms. Schuetz referred to a document entitled “Notice of Public Hearing Coburg Planning Commission and Coburg City Council.” She noted that it was the required compliance with Oregon Revised Statute 227.186(4) and (5), adopted by voters in 2004 as Measure 56.

D. Planning Commissioner Training

Ms. Schuetz referred to a document advertising Planning Commissioner Training sponsored by the Oregon Planning Institute on September 17. She reported that the Coburg City Council was encouraging Planning Commissioners to attend by offering to pay the \$85 registration fee for two members.

5. ADMINISTRATIVE ACTION REPORT

Ms. Schuetz explained that a monthly report of administrative actions taken by the Planning Staff would be made at each meeting of the Planning Commission, but that none had taken place since the last meeting.

6. COMMISSION BUSINESS

Vice Chairperson Donner noted that Commissioner Russell Read had resigned from his position on the Planning Commission. He suggested that it would be appropriate to have an expression of appreciation for the service of Commissioner Read prepared.

Commissioner Greenwell explained that previous practice had been to advertise vacancies on the Planning Commission through notices posted on the Community Reader Board, public newspaper, the City newsletter, and on the City Website. Vice Chairperson Donner added that no time-limit had been imposed in the past for the submission of applications.

Ms. Schuetz stated that she was unaware whether applications for appointment from previous vacancies were still on file and offered to search.

7. APPROVAL OF MINUTES

Commissioner McConnell requested that the spelling of her name in Paragraph six on Page 2 of the draft minutes of the May 8 meeting be corrected.

Vice Chairperson Donner determined there was no objection to the request and the minutes were amended.

Commissioner Greenwell moved, seconded by Commissioner McConnell to accept the minutes of the May 8, 2005, meeting, as amended. The motion was adopted unanimously, 5:0.

Commissioner McConnell said she continued to be interested in receiving information about what appeared to be the beginning of construction on property facing Pearl Street at the intersection of Lincoln and Miller streets, as reported in the minutes of the May 8 meeting.

8. UPCOMING MEETINGS AND EVENTS

Ms. Schuetz reviewed meetings and events identified in the agenda:

- Core Team Meeting – August 23, 2005
- Joint Periodic Review Hearing – August 23, 2005
- Next Regular Planning Commission Meeting – September 7, 2005
- Region 2050 Workshop – September 14, 2005
- Joint Meeting – Interchange Area Management Plan – September 20, 2005
- Public Meeting on Interchange Area Management Plan– September 27, 2005

9. FUTURE AGENDA ITEMS

In response to a request from Commissioner Greenwell, Minutes Recorder C. Daniel Lindstrom, B.A., M.Div., D. Min., provided a succinct and scintillating summary of the report on current development of the Coburg sewer system made at the August 9 meeting of the City Council.

Ms. Bork reviewed future agenda items identified in the agenda:

- Residential Design Standards Progress
- Sign Standards in Traditional Residential
- Periodic Review Recommendation for Adoption

In response to an explanation and question from Ms. Bork, Vice Chairperson Donner determined there was agreement to consider making a recommendation regarding the fee schedule for a Conditional Use Sign Permit applications to the City Council at the September meeting. He suggested that a better decision could be made after receiving more complete information about on the application that generated the question and a staff report regarding its potential impacts.

Commissioner Greenwell requested that a report be prepared on the effect of sign ordinances on sale and product signage in area retail stores.

The meeting adjourned at 8:40 p.m.

(Recorded by Dan Lindstrom)

ACCEPTANCE

Yes: _____

No: _____

Abstained: _____

Passed: ____ Rejected: _____

Signed this _____ day of _____ 2005

Katie Thiel, Planning Commission Chairperson

Attest:

David Landrum, City Recorder

DRAFT



DRAFT MINUTES
Coburg City Council
Coburg Planning Commission
Joint Work Session
August 23, 2005 - 7:00 P.M.
Coburg Municipal Court
32694 East Pearl Street - Coburg

COUNCILORS PRESENT: Mayor Judy Volta; Don Schuessler, Michelle Sunia, John Thiel, Mike Watson

COUNCILORS ABSENT: Bill Judd, Brian Pech

COMMISSIONERS PRESENT: Katie Thiel, Chairperson; Dan Claycomb, Ken Donner, Cathy Engebretson, Pat Greenwell, Patricia McConnell

COMMISSIONERS ABSENT: None

STAFF PRESENT: Kay Bork, Petra Schuetz, David Landrum, Kelly O'Neil

RECORDED BY: Dan Lindstrom

I. CALL TO ORDER

Mayor Judy Volta called the Work Session of the Coburg City Council to order at 7:00 p.m.

Minutes Recorder Dan Lindstrom called the roll, noted the absence of Bill Judd and Brian Pech, and stated that a quorum was present.

Chairperson Katie Thiel called the Work Session of the Coburg Planning Commission to order at 7:00 p.m.

Mr. Lindstrom called the roll, noted that no members were absent, and stated that a quorum was present.

Mayor Volta requested that Councilor Mike Watson, Council Liaison to the Planning Commission, co-preside over the Work Session with the Planning Commission Chairperson .

II. PUBLIC COMMENT

Clay Myers asked if the Zoning District Regulations and Comprehensive Plan Amendment proposals distributed with the agenda of the Work Session were the same as he had received from the City Hall earlier in the week. Planning Staff Kay Bork replied that the only difference was that elements of the current Code proposed for deletion had been eliminated.

George LaMonte, no address provided, said he did not believe the size of Retail and Wholesale Stores and Shops should be limited to 10,000 square feet in gross floor area, as proposed in the Central Business District. He said the limitation would thwart his intention to develop vacant property he currently owned in the district. He said he would oppose the proposed limitation at the time it was to be considered for adoption.

Councilor Watson said there would be extensive time set aside for public input on specific concerns at the Public Hearing to be held at the September meeting of the City Council.

Councilor Watson determined there were no other requests to speak and invited the submission of written comments in time for response to be made by the Core Planning Team before the Public Hearing. He said he would invite further comments from the public after consideration of proposals for each zoning district by members of the Council and Planning Commission.

III. TRADITIONAL RESIDENTIAL DISTRICT

Ms. Bork referred to proposed Zoning District Regulation VII.A.2 for the Traditional Residential District (TR) and noted that definitions of unique and specialized terms had been requested. She distributed copies of a document entitled "Coburg Zoning Ordinance Revision Definitions for TR District" and reviewed its contents.

Councilors and Commissioners discussed the proposed definitions, especially those related to *Day Care*, *Group Home* and *Group Care Home* uses and structures. After considering numerous alterations and revisions, Councilor Watson determined there was agreement that they should be presented for approval as submitted.

Councilors and Commissioners discussed proposed Zoning District Regulation VII.A.5.a, Minimum Residential Density Standards. Councilor Watson determined there was agreement to change the proposed minimum density required in the TR zone from 70 percent to 65 percent of the maximum density permitted in the zone.

Councilors and Commissioner discussed proposed Zoning District Regulation VII.A.5.b, Side Yard Setbacks Requirements. Councilor Watson conducted a series of straw votes and determined that five participants favored changing the setback requirement to seven feet, four participants favored maintaining the proposed ten feet requirement, one participant favored changing the setback requirement to five feet, and one participant did not express an opinion. It was noted that smaller setbacks enabling higher density would be included in New Neighborhood District regulations still to be developed.

Councilors and Commissioners discussed proposed Zoning District Regulation VII.A.9.a, Standards for Agriculture and Livestock Uses. Councilor Watson determined there was agreement that earlier discussions had led to an agreement to eliminate allowing the keeping of horses, cows, pigs, llama, goats, and sheep within the District and to relegate control of any differences between male and female fowl to City noise control ordinances.

Councilor Watson noted that changes made to the TA District would be also made to parallel regulations in the Traditional Medium Residential District (TMR).

Clay Myers asked if there was a definition of “live-work building” in Article VII.A.2.a.4. Councilor Watson determined there was consensus to eliminate all references to live-work structures.

An unidentified member of the public asked how Zoning Ordinance regulations were enforced. Ms. Bork replied that the most enforcement was possible at the time construction and development permits were issued. Mayor Volta added that, as with most non-criminal related code infractions, most enforcement of Zoning Ordinances was complaint-driven. Councilor Watson added that development of additional enforcement mechanisms would be within the purview of the City Council, but subject to budget limitations.

An unidentified member of the public asked how setback requirements were measured. Chairperson Thiel replied that most measurements were assumed to be from foundations to property lines. Ms. Bork added that there were occasions when the “closest wall” was a measuring point. She also said definitions for measuring setbacks, heights, distance to neighbor’s property, and other specifics were often provided with permit applications.

IV. TRADITIONAL MEDIUM RESIDENTIAL DISTRICT

Councilors and Commissioners discussed proposed Traditional Medium Residential (TMR) Zoning District Regulation VII.B.3, Minimum Lot Requirements and Maximum Residential Density. Councilor Watson determined by a straw vote that there was agreement that, with the understanding that a five foot side-yard was required, the Minimum Average Width of lots in the TMR Zone should be increased from 30 feet to 40 feet. Ms. Bork agreed to re-search a definition for Average Lot Width to be included in the proposed Zoning Ordinance.

Councilor Watson determined there was agreement that earlier discussions had led to elimination of all references to flagpole lots, such as proposed in Regulation VII.B.4.b. Ms. Bork said she would ensure that allowing alley access to lots not having street access was included in the proposed Zoning Ordinance changes.

V. CENTRAL BUSINESS DISTRICT

Commissioner Pat Greenwell asked why a limitation of 10,000 square feet gross floor area was placed only on Personal Services, Retail and Wholesale Stores in proposed Central Business District (C-1) Zoning District Regulation VII [SIC].B.2, Uses and Structures. Ms. Bork replied that the restrictions could be abated through application for and granting of a Conditional Use Permit.

Mr. LaMonte raised a number of concerns related to the proposed size limitation regulations and others about set backs. He said they negatively affected the potential development of property he owned in the C-1 District. Councilors and Commissioners discussed the concerns without seeming to reach consensus on how they could be resolved. Councilor Watson invited Mr. LaMonte to submit his concerns in writing. He said they would be considered by the Core Planning Team and recommendations regarding them prepared before the Public Hearing scheduled at the September meeting of the City Council.

Ms. Bork referred to proposed Zoning District Regulation VII [SIC].B.2.d.1, Special Exceptions (Conditional Uses) – Amusement Establishments. She noted that definitions of the term had been requested. She distributed copies of a document which contained sample definitions taken from the codes of nine different jurisdictions. Councilor Watson determined there was agreement to include the definition from an “Unknown Jurisdiction” in the Coburg proposals.

Councilors and Commissioners discussed proposed Zoning District Regulation VII [SIC].B.2.d.6, Special Exceptions (Conditional Uses) – Drive-up . . . uses not related to food service, . . . which are prohibited. There appeared to be consensus that the proposed prohibition on food service drive-in should continue. There was extended discussion of allowing drive-in uses for other businesses, especially banks, through the Conditional Use Permit process, but no agreement was reached. Sample comments included:

- The issue is a “red herring” and an attempt at unwarranted governmental social engineering.
- Drive-in uses should be permitted outright.
- Drive-in uses are nearly universally rejected by Coburg citizens.
- Having the Conditional Use Permit process available is an acceptable compromise.
- The Conditional Use Permit process is too dependent upon the whims of political influence.
- The historic nature of Coburg needs to be preserved and drive-up uses should not allowed.
- Not allowing drive-in uses invites litigation.

Councilor Watson said he believed a majority of Councilors and Commissioners supported the proposed requirement for drive-up uses to require Conditional Use Permits.

Councilors and Commissioners discussed proposed Zoning District Regulation VII [SIC].B.3.c, Height Transition Compatibility Standard. Councilor Watson determined there was agreement to eliminate the proposed regulation.

VI. HIGHWAY COMMERCIAL DISTRICT

Councilors and Commissioners discussed proposed Highway Commercial District (C-2) Zoning District Regulation VII [SIC].C.2.a.6, Permitted Uses and Structures – Eating Establishments. Councilor Watson determined through a straw vote that prohibiting drive-in eating establishments in the C-2 District was preferred by five participants, not preferred by four participants, and that one participant did not express a preference. In a subsequent straw vote he determined that all participants preferred that eating establishments be allowed in the C-2 District.

Councilors and Commissioners discussed proposed C-2 Zoning District Regulation VII [SIC].C.13.a, Building Design Standards. Councilor Watson determined there was agreement that exterior wall articulation should be required every 30 feet on all new commercial buildings. Ms. Bork suggested that the section needed other additional development.

Councilors and Commissioners discussed proposed C-2 Zoning District Regulation VII [SIC].C.5.b, Maximum Height Standards. Councilor Watson determined there was agreement to revise its proposed wording, as follows:

As provided in subsection 2.c (conditional use), a building may exceed this height limitation up to a total height of 45 feet when the new building does not ~~share any property line with the~~ **abut** a Residential District ~~or an existing residential use~~.

Councilors and Commissioners discussed proposed C-2 Zoning District Regulation VII [SIC].C.2.c, Uses and Structures – Special Exceptions. Councilor Watson determined there was agreement to eliminate the word “floor” from the proposed regulation.

Mr. LaMonte said that proposed C-2 Zoning District Regulation VII [SIC].C.2.c.3, Uses and Structures – New Warehouse Uses Located on the South Side of Delaney Street mistakenly required a Conditional Use Permit for property he owned. He explained that City Council Resolution 90-14 had given permission for establishment of the warehouses outright. Ms. Bork said existing structures were not affected by newly established regulations, unless there was a desire to alter or replace them. She said the intent of the Council Resolution would be researched and properly entered in the Code.

Councilors and Commissioners discussed proposed C-2 Zoning District Regulation VII [SIC].C.2.c.4, Uses and Structures – Wireless Communication Equipment. Councilor Watson determined there was consensus that earlier discussions had led to an agreement that all Wireless Communication Equipment facilities were to only be permitted in the, as yet undefined, Public Facilities District (PF).

VII. LIGHT INDUSTRIAL DISTRICT

Commissioner Greenwell suggested that proposed Light Industrial (LI) Zoning District Regulation VII [SIC].D.5, Yard Setbacks, was unclear and should be re-worded.

VIII. SUPPLEMENTAL DISTRICT REGULATIONS

Councilor Watson referred to a document entitled “Coburg Zoning Ordinance – Article VIII. Supplemental District Regulations.” He noted that it contained proposals made by the Core Planning Team for Access Management, Parking, Sign Regulations, Pedestrian Access and Circulation, Development and Construction Requirements, Street Standards, Exceptions to Height Regulations, and Design Standards.

Councilor Watson recommended that Councilors and Commissioners study the proposals and submit written comments in time for response by the Core Planning Team before the Public Hearing at the September meeting of the City Council.

Mayor Volta suggested that the City Council schedule a Special Meeting in September to adopt the proposed Zoning Code Ordinance amendments, following the Public Hearing regarding it to be held at the Regular Meeting. She noted that a Special Meeting was already scheduled for September 20 to receive the Coburg Interchange Area Management Plan being prepared by the Oregon Department of Transportation. Councilor Watson determined there was agreement to accept the suggestion.

Councilor Watson announced that the Core Planning Team would meet on September 1.

Several participants discussed their belief that assistance in providing Zoning Ordinance amendment proposals provided by OTAK consultants had been inadequate. It was suggested that letters of concern regarding the service be set to appropriate regulating authorities.

Commissioner Greenwell requested that definitions and regulations for the Public Facilities District be included in the draft proposals considered at the Public Hearing to be held at the September City Council meeting.

The meeting adjourned at 10:35 p.m.

DRAFT

ACCEPTANCE

Yes: _____

No: _____

Abstained: _____

Passed: _____ Rejected: _____

Signed this _____ day of _____ 2005

Judith Volta, Mayor

Yes: _____

No: _____

Abstained: _____

Passed: _____ Rejected: _____

Signed this _____ day of _____ 2005

Katie Thiel, Planning Commission Chairperson

Attest:

David Landrum, City Recorder



MINUTES

Coburg City Council Coburg Planning Commission

Joint Session

September 20, 2005 - 7:00 P.M.

Coburg Municipal Court
32694 East Pearl Street - Coburg

COUNCILORS PRESENT: Mayor Judy Volta; Bill Judd, Brian Pech, Michelle Sunia, John Thiel, Mike Watson

COUNCILORS ABSENT: Don Schuessler

COMMISSIONERS PRESENT: Katie Thiel, Chairperson; Dan Claycomb, Cathy Engebretson, Pat Greenwell

COMMISSIONERS ABSENT: Ken Donner, Patricia McConnell

STAFF PRESENT: Kay Bork, David Landrum, Mark Phelps, Scott Olson, Petra Schuetz

RECORDED BY: Dan Lindstrom

I. CALL TO ORDER

Mayor Judy Volta called the meeting of the Coburg City Council to order at 6:05 p.m.

Minutes Recorder Dan Lindstrom called the roll, noted the absence of Councilors Don Schuessler and Michelle Sunia, and stated that a quorum was present.

Chairperson Katie Thiel called the meeting of the Coburg Planning Commission to order at 6:06 p.m.

Mr. Lindstrom called the roll, noted the absence of Ken Donner, Pat Greenwell, and Patricia McConnell, and stated that a quorum was not present.

Mayor Volta stated that items related to Water Storage Easement Acquisition and a Finance Department Report would be added to the Agenda of the Council Meeting.

Mayor Volta determined there were no requests to present public comment unrelated to the Periodic Review Public Hearing.

II. INTERCHANGE AREA MANAGEMENT PLAN

Planning Staff Petra Schuetz explained that the Oregon Department of Transportation (ODOT) was preparing an Interchange Area Management Plan (IAMP) for the Coburg Interstate 5 (I-5) interchange. She said the plan was required before the reconstruction de-

sign could take place. She introduced representatives of the CH2M Consulting firm who were conducting the study, and noted that documents had been distributed, as follows:

- "City of Coburg IAMP Existing Conditions" (Draft)
- "I-5 Coburg Interchange Area Management Plan Traffic Methodology"
- "Vehicular Turning Movement " Packet
- "Unsignalized Intersection Capacity Analysis" Packet
- "Coburg IAMP Study Area" Map
- "Comprehensive Plan Designations" Map
- "Functional Classification" Map
- "Pavement Condition" Map
- "Study Area Accesses" Map
- "Existing Conditions (2005) 30th Highest Hour Traffic Volumes" Map
- "Lane Transit District Bus Routes" Map
- "Pedestrian and Bicycle Facilities" Map
- "Planning for Replacing the I-5 Coburg Interchange" Community Meeting Announcement

CH2M Consultant and Project Manager, Steve Perone, presented an overview of the IAMP purpose and process. He said the plan enabled better management of grade separated interchanges and adjacent land. He said ODOT would use the plan to work with Coburg and Lane County to develop improvements for the Coburg Interchange road network, right-of-way, access, and area land. He described the Coburg IAMP study area and the schedule for its completion. He reviewed work completed to date.

Mr. Greenwell joined the meeting at 6:35 p.m.

Mr. Perone reviewed existing conditions described in the Coburg IAMP and identified additional issues to be addressed. He described Plan and policy review to be conducted and explained land use scenarios to be used in determining future impacts on the interchange and area transportation system. He announced a Public Open House regarding the Coburg IAMP to be held on September 27.

Mr. Perone described the next IAMP elements to be undertaken – modeling of land use alternatives, determining future travel demands and deficiencies, developing and evaluating alternatives, and preparing implementing ordinances. He introduced ODOT Project Manager Terri Harding and encouraged interested persons to contact her or Ms. Schuetz for further information.

Councilor Bill Judd asked if land use scenarios to be used in the IAMP would include the longer range projections being developed in the Region 2050 project. Mr. Perone replied that they would be included.

Councilor Judd asked when the current Coburg Interchange had been constructed. Mr. Perone replied that it had been completed in 1960, but that a Refinement Plan had been initiated in 1999.

Mayor Volta asked for an explanation of the term “failing intersection” used in the documents that were distributed. Mr. Perone replied that it described the level of delay involved in the use of an intersection.

Mayor Volta asked if issues related to the realignment of Roberts Road would be discussed in the Public Open House. Mr. Perone replied that he would ensure that options being initially discussed would be included.

Councilor Mike Watson asked if the influence of factors such as traffic from Harrisburg, use of the intersection by sand and gravel trucks, and the possible relocation of the Lane County Fairgrounds to the Coburg area were being considered in the IAMP. Mr. Perone explained that regional data was used in forecasting models and the influences of traffic generation from other areas were synthesized into the study.

Commissioner Dan Claycomb asked if there was any indication of what a reconstructed Coburg Interchange would look like. Mr. Perone replied that it was unlikely the basic “diamond configuration” of the current Interchange would change, but that access roads, and other area impacts would likely be altered, depending on the needs identified and finances available. He said much design treatment was possible within the footprint of the current interchange.

Ms. Harding explained that an environmental review of the project would identify impacts on all property within one-half mile of the interchange before work on any new design was started.

Commissioner Claycomb asked if Coburg would have any influence on the final design of the Interchange area. Mr. Perone replied that although the project was federally funded and managed by ODOT, care was taken to involve local jurisdictions in decisions affecting its area of influence.

Commissioner Claycomb said he was concerned that an expanded interchange would increase the detrimental penetration of freeway-related traffic into Coburg. He said he hoped guarantees could be created to prevent it from happening.

Ms. Harding stated that the purpose of the IAMP process was to find a mutually acceptable design that would meet the transportation needs of the interchange. She said ODOT was flexible in its planning to accommodate reasonable local concerns.

Mayor Volta asked how the IAMP process was funded. Mr. Perone replied that ODOT funded the IAMP and most other transportation planning in Coburg, with the City providing the assistance of planning staff.

Mayor Volta thanked Mr. Perone and Ms. Harding for their presentation and declared a five-minute recess.

Councilor Sunia joined the meeting at 7:00 p.m.

III. COMMENTS FROM CITIZENS

None.

IV. PERIODIC REVIEW – PUBLIC HEARINGS AND DELIBERATION

Mayor Volta expressed appreciation for the service of Katie Thiel as Planning Commission Chairperson. She said it had been mutually agreed that Councilor Watson would preside during consideration of matters related to the Coburg Periodic Review.

A. Comprehensive Plan Text and Map

Councilor Watson stated that the City Council and Planning Commission would conduct a Public Hearing on Ordinance A-199: AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN TEXT AND MAP AND DECLARING AN EMERGENCY.

Planning Staff Kay Bork stated that the hearing was the Second Reading of Ordinance A-199. She said its purpose was to repeal the current Comprehensive Plan and adopt, by amendment, the Plan developed during the recently completed Periodic Review process begun in July 2002. She said the proposed new Plan was built on existing policies, but was amended where new conditions in Coburg and Statewide Planning Goals showed changes were necessary.

Ms. Bork noted that copies of the document “City of Coburg Comprehensive Plan” and the map “City of Coburg Comprehensive Plan” had been distributed with the Agenda of the meeting. She referred to a document also distributed entitled “Findings in Support of the Adoption of Periodic Review Amendments to the Coburg Comprehensive Plan.” She noted it was analysis that showed the proposed amendments to be in compliance with applicable Statewide Planning Goals.

Councilor Watson opened the Public Hearing on Ordinance A-199.

Councilor Watson determined there was no one present wishing to present testimony and closed the Public Hearing. He invited comments from members of the Council and Commission.

In response to a request from Councilor John Thiel, Ms. Bork explained that a mobile home park and a private residence had been added to the area designated Central Business District on the Comprehensive Plan map on the requests of the property owners since the First Hearing. She said the properties had previously been considered part of the area and their inclusion created consistency in its boundary.

Mayor Volta asked if she should recuse herself from participating in discussion of the amendment because she and her husband owned the private residence identified. City Counsel Mark Phelps replied that it was appropriate for her to identify the fact, but that the adoption was a legislative not a land use zoning change matter with a potential financial impact.

Councilor Watson determined that no Councilor or Commissioner had a potential conflict of interest, or had engaged in *ex parte* discussion regarding the amendment.

Councilor Sunia asked if it would be appropriate to consider Measure 37 impacts in relation to the amendment proposal. Ms. Bork replied that such matters related to zoning matters, not the Comprehensive Plan.

Councilor Watson invited the Planning Commission to make a recommendation regarding the Comprehensive Plan and map.

Commissioner Cathy Engebretson moved, seconded by Councilor Greenwell, to recommend that the City Council adopt Ordinance 199-A, amending the Coburg Comprehensive Plan Text and Map. The motion was adopted unanimously, 4:0.

B. Zoning Ordinance

Councilor Watson stated that the City Council and Planning Commission would conduct a Public Hearing on Ordinance A-200: AN ORDINANCE AMENDING THE COBURG ZONING ORDINANCE **ARTICLE VII** DISTRICT REGULATIONS: SECTION A, TRADITIONAL RESIDENTIAL DISTRICT; SECTION B, TRADITIONAL MEDIUM RESIDENTIAL DISTRICT; SECTION C, CENTRAL BUSINESS DISTRICT; SECTION D, HIGHWAY COMMERCIAL DISTRICT; SECTION E, LIGHT INDUSTRIAL DISTRICT; AND SECTION F, CAMPUS INDUSTRIAL DISTRICT; **ARTICLE XII** DEFINITIONS; AND **ARTICLE VIII** SUPPLEMENTAL DISTRICT REGULATIONS; AND REPEALING ARTICLE VII, DISTRICT REGULATIONS SECTION A THROUGH D, **ARTICLE VIII**, SUPPLEMENTARY DISTRICT REGULATIONS A THROUGH F, AND **ARTICLE XII** DEFINITIONS OF ORDINANCE A-133.

Mr. Watson opened the Public Hearing and asked for the staff report.

Ms. Bork noted that the hearing was the Second Reading of Ordinance A-200. She referred to her September 7 memorandum regarding public comment on proposed code amendments. She said the Council and Commission could address its concerns after the close of the Public Hearing.

Ms. Bork Referred to her September 13 memorandum regarding a Measure 37 analysis of proposed code amendments and an analysis data sheet identifying existing regulations, proposed amendments, and issues related to Measure 37 distributed with the Agenda of the meeting.

Ms. Bork said her analysis had shown there were no major potential Measure 37 claims in the amendment proposals. She pointed out that two concerns had been raised by members of the public – a new limitation of 50,000 square feet on floor area for permitted uses and structures in the Central Business District, and relegating truck stops to Special Exception Uses in the Highway Commercial District. She said, in addition, some new design elements might increase construction costs, but would also likely increase resultant property value.

Ms. Bork stated that the following documents distributed with the Agenda were unchanged from the First Reading:

- Findings in Support of Coty of Coburg Zoning Ordinance Amendments
- Article VII – District Regulations
- Article VIII – Supplementary District Regulations
- Article XII – Definitions

Councilor Watson invited testimony in the Public Hearing.

Chris Wilson, 91181 North Skinner, expressed appreciation for the work of the Planning Commission and City Council on the proposed zoning amendments. She said she believed it was important to continue the intention of maintaining the historic character of development in Coburg.

Ms. Wilson said the staff response to her comment in the First Reading regarding alley setback requirements in the Central Business District mistakenly identified existing alleys as 20 feet in width. She said most were only 10 feet in width and that she was concerned that the proposed setbacks would create unfair development restrictions.

Ms. Wilson said she was concerned that the proposed requirement for Special Exception Use permission to locate single family dwellings in the Central Business District could raise unidentified Measure 37 issues, since residential development was considered of higher value than commercial development.

Ms. Wilson said she was concerned that prohibiting the sharing of residential driveways could impact the value of some properties. She suggested that the provision be changed to allow sharing, if it were not forced.

Ms. Wilson said she believed off-street parking regulations proposed for the Central Business District should be made more flexible to recognize the inability of many small commercial enterprises to meet their requirements. She suggested they be modeled after the current regulations for Uses Not Specified.

Jim Anderson, 32910 East Pearl, Truck 'N Travel referred to his letter dated September 19 distributed at the beginning of the meeting. He said he believed design standards created for the Highway Commercial District were done with the best of intentions, but that they created concerns for businesses such as his Truck 'N Travel Center. He said the reverence in Article VII.D.1 to "appropriately scaled commercial uses that fit the small town, historic character of the community" was an example of vagueness that created the possibility for a variety of interpretations.

Mr. Anderson said requiring truck stops to acquire Special Exception Use permission in the Highway Commercial District was illogical and punitive. He pointed out that service and gasoline stations were permitted principal uses, that trucks were major users of the Interstate Highway system, and that a major truck stop had been part of the Coburg interchange for over 30 years.

Mr. Anderson said he believed the 20-foot front yard setback requirement and maximum height standards unreasonably restricted development in the Highway Commercial District.

Mr. Anderson said he was concerned that the requirement for a 400 foot minimum distance between service station sites in the Highway Commercial District was unreasonable. He said, in addition, no provision was made for a property owner to develop more than one facility on a single parcel.

Mr. Anderson said I-5 and trucking related business benefited Coburg and that its regulation should be fair, reasonable, and not subject to interpretation.

Clay Myers, 32050 Coburg Bottom Lane, said he believed restrictions on multi-family residential development in the proposed regulations created serious potential for Measure 37 claims. He said he did not believe many existing homes met proposed residential design standards.

Mr. Meyers suggested that provisions be made for changing design standards without using the Zoning Ordinance amendment process. He also suggested that the effective date of the ordinance be delayed to allow for enforcement issues to be resolved.

In response to a question from Councilor Sunia, Mr. Meyers explained that the proposed Ordinance would not permit re-building of existing multi-family housing, in the event of its catastrophic destruction. He said triplex homes currently existed where only duplex homes were permitted.

Councilor Watson determined there were no other persons wishing to testify and closed the Public Hearing.

Councilor Watson determined that no members of the Council or Commission were required to declare *ex parte* contacts or conflicts of interest. He invited members to discuss the proposed Zoning Code amendments and public testimony.

Mayor Volta requested clarification regarding the staff report about alleys in the Central Business District. Ms. Bork explained that it was true that the staff report had assumed that all alleys were 20 feet in width, but that the setback requirement only applied to new development and no existing development was affected.

Mayor Volta asked why 20 foot width alleys were preferred. City Engineer Scott Olson replied that all potential fire access ways to buildings were required to be that wide.

Councilor Sunia asked why it was proposed to have truck stops be required to have Conditional Use Permits in the Highway Business District. Chairperson Thiel replied that the stipulation was created to ensure control of such development in the future, not impinge on current establishments.

Members engaged in extended discussion regarding replacement of currently existing non-conforming uses.

Mr. Phelps suggested that members determine a procedure for considering specific amendment proposals to facilitate Council action on the Ordinance.

Chairperson Thiel asked if postponing action on the Ordinance would require full public notice procedures. Mr. Phelps replied that action could be postponed, but that Periodic Review and other deadlines made doing so unadvisable.

Chairperson Thiel said she believed ample opportunity should be given to evaluate proposed changes in the light of potential Measure 37 claims.

Mayor Volta said she did not support postponement of action on the Ordinance because more than two years of effort and over \$200,000 had already been expended on the process. She said the purpose of its consideration in the current meeting was to give final approval, not to continue proposing minor fine tuning of its provisions.

Councilor Judd said he believed it was important to address issues raised in the Public Hearing and Staff Report and to postpone adoption of the Ordinance, if it was not possible to complete the process.

Councilor Thiel said he believed it was important to do what could be done in the time remaining.

Councilor Watson said the Council and Commission would initially focus attention on the September 7 memorandum of Ms. Bork regarding public comment on proposed Code amendments. He invited her to raise the issues sequentially.

1. General Comment

It is not clear if new regulations and standards apply to new development or new and existing development.

Staff Response: Article VI states that it is the intent of the Code to permit non-conforming uses to continue until they are removed, but not to encourage their survival. In addition, non-conforming uses are not permitted to be enlarged, expanded or extended, nor used as grounds for adding other structures of prohibited uses elsewhere in the same district.

No definitive change to the Staff Response was recommended in the discussion of members.

2. General Comment

What is the process for amending the zoning code when Periodic Review is completed?

Staff Response: Amending the zoning code is a Type II procedure described in Article X, Section F. The City Council or Planning Commission may initiate amendments. Public notice, State land use procedures, at least two work sessions, and public hearings are required.

No definitive change to the Staff Response was recommended in the discussion of members.

3. Traditional Residential District – Driveway Limitations

Limiting driveways to one per dwelling is too restrictive. The exception statement is vague and should be amended to say “A single driveway can be used to serve an approved accessory dwelling unit in addition to the primary dwelling.”

Staff Response: Narrow, side-by-side lots with minimum street frontage are required to each have a driveway. Development on flag lots without alley access is not permitted. The two restrictions could prohibit development on some lots large enough to be subdivided.

Chairperson Thiel attempted, but was unable to gain Planning Commission consensus to recommend the removal of restrictions on development on flag lots. Councilor Watson determined by a straw vote that only two of five Councilors favored elimination of Article VII.A.3.2, Driveway Limitations in the Traditional Residential District.

4. Traditional Residential District – Minimum Lot Width

The term “Minimum Width” was re-labeled “Average Width,” without a definition, in Article VII.A.4.a and b.

Staff Response: Keep the Term “Average Width” and give it a definition such as “Average Lot Width is determined by measuring the width of a lot every 10 feet, for the entire depth of the lot, adding those measurements and dividing by the number of measurements.”

Discussion did not lead to apparent agreement or disagreement regarding the Staff Response.

5. Traditional Residential District – Side Yard Height Transition

Article VII.A.6.b.(2) references building height transition standards that have not been incorporated into the Code.

Staff Response: The Planning commission and City Council previously agreed to remove the transition standards from the proposed amendments. Article VII.A.6.b.(2) should be deleted.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council delete Article VII.A.6.b.(2).

6. Traditional Medium Residential District – Live-Work Buildings

Article VII.A.2.a.(4) references Live-Work Buildings that it had been agreed would be deleted during an August 23 Joint Work Session.

Staff Response: Delete the Section.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council delete Article VII.A.2.a.(4).

7. Central Business District – Alley Setbacks

The 10-foot alley setback requirement in Article VII.C.6.c.(3) is too restrictive and not consistent with existing buildings in the Central Business District.

Staff Response: If alleys are 20-feet in width, 10 feet from the centerline is a zero setback. If alleys are less than 20-feet in width, the setback is 10-feet minus half the width of the alley. The setback requirement should be maintained.

No change to the Staff Response was recommended in the discussion of members.

8. Highway Commercial District – Maximum Height Standards

The 35-foot maximum height standard in Article VII.D.5.a and b may not be sufficient to accommodate a three-story building in the Highway Commercial District.

Staff Response: A variance to allow a 45-foot building is permitted, if it does not abut a Residential District. The 35-foot height limit is common in other Oregon communities and counties.

No definitive change to the Staff Response was recommended in the discussion of members.

9. Light Industrial District – Buffer Zone

The required 25-foot buffer zone between development and an adjacent Residential District in Article VII.E,5.(d) is not adequate to protect residential areas from negative industrial use impacts.

Staff Response: The current code requires a 200-foot buffer zone, but it may be too restrictive and discretion should be allowed when establishing setbacks based on the type of industrial use. In addition, the proposed amendment does not make clear that the 25-foot buffer is required to screen industrial buildings. The following change to Article VII.E,5.(d) is recommended:

Where an industrial use abuts a residential district, a 25-foot setback is the minimum area that shall be required between any development and adjacent Residential District. Additional setback up to 200 feet may be required where the proposed activity would have a significant impact on adjacent residential property in the form of noise, dust, smoke, vibration or

other negative impact that is perceptible beyond the property boundaries. A 25-foot landscaped horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer shall be included within the required yard setbacks. This area shall provide landscaping to screen buildings, parking, and service and delivery areas and walls without windows of entries. The buffer may contain pedestrian seating and pedestrian pathways, but shall not contain any off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with Article VIII.H of this Code.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council amend Article VII.E.5.(d), as proposed by staff.

10. Supplementary District Regulation – Design Standards and Guidelines

It is not common to have front porch beams and posts the same size, as proposed in the Design Standard in Article VIII.J.4.a.(2).(g). Most historic houses in Coburg do not meet this standard.

Staff Response: An interpretation may be in order.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council delete Article VIII.J.4.a.(2).(g).

Councilor Watson determined there was consensus to accept the recommendation.

11. Supplementary District Regulation – Design Standards and Guidelines

The proposed Design Guideline in Article VIII.J.4.a.(3).(a) would force a builder to use uncommon materials, increasing the cost of construction.

Staff Response: An interpretation may be in order.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council delete Article VIII.J.4.a.(3).(a).

Councilor Watson determined there was consensus to accept the recommendation.

12. Supplementary District Regulation – Design Standards and Guidelines

Incorporating 2:1 ratio vertical-oriented windows as proposed in the Design Standard in Article VIII.J.4.c.(2).(a) is not practical when the building code requires a minimum egress of 3' x 5'.

Staff Response: None.

No definitive recommendation was developed in the discussion of the Planning Commission.

Councilor Watson determined there was agreement in the City Council to delete Article VIII.J.4.c.(2).(a).

13. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard in Article VIII.J.4.c.(2).(b) needs to be clarified as to whether windows are required in the gable attics of a dwelling.

Staff Response: An interpretation may be in order, allowing more flexibility in window design while maintaining rectangle, vertically-oriented windows.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council delete Article VIII.J.4.c.(2).(b).

Councilor Watson determined there was consensus to accept the recommendation.

14. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard proposed in Article VIII.J.4.e.(2).(a) limits design options. The roof pitch standards are not consistent with existing architecture.

Staff Response: An interpretation may be in order. An opinion from another architect or builder could be helpful.

No definitive change to the Staff Response was recommended in the discussion of members.

Chairperson Thiel left the meeting at 9:20 p.m.

15. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard proposed in Article VIII.J.4.e.(2).(c) include requirements for dormer roof pitch that are not structurally possible. In some cases a dormer could be too low or even higher than the roof ridge line, if it had to meet the existing roof pitch.

Staff Response: An interpretation may be in order. An opinion from another architect or builder could be helpful.

Councilor Watson determined there was agreement among the City Council to delete Article VIII.J.4.e.(2).(c).

16. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard proposed in Article VIII.J.4.e.(2).(e) raises the question if the original edifice is not compatible with the proposed guidelines, which takes precedence, the guidelines or original edifice?

Staff Response: An interpretation may be in order.

Councilor Watson determined there was agreement in the City Council to delete Article VIII.J.4.e.(2).(e).

17. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard proposed in Article VIII J.4.h.(2).(a) would result in garages that could not accommodate two cars and storage.

Staff Response : Consider deleting the text referring to a 24-foot maximum and keep 40 percent requirement.

Consensus was determined for the Planning Commission to recommend that the Council delete Article VIII.J.4.h.(2).(a).

Councilor Watson determined there was consensus to accept the recommendation.

18. Supplementary District Regulation – Design Standards and Guidelines

The Design Standard proposed in Article VIII J.4.h.(2).(b) could create problems, as typical construction is in increments of two feet.

Staff Response : Other communities require a garage setback of five-feet from the primary façade.

Councilor Watson determined there was agreement in the City Council to amend Article VIII.J.4.h.(2).(b) by changing the minimum to 4'-0".

Chairperson Thiel rejoined the meeting at 9:30 p.m.

Ms. Bork reviewed her memorandum dated September 19 regarding comments receive via E-mail. She noted that concerns raised had been dealt with in consideration of her September 7 memorandum.

Ms. Bork referred to the September 19 letter from Jim Anderson distributed at the beginning of the meeting. She noted there were several concerns not yet considered.

19. Highway Commercial District – Yard Setbacks

The 20-foot front yard setback in the Highway Commercial District proposed in Article VII.D.4.a does not allow for parking, maneuvering and/or driveways and is overly restrictive.

Chairperson Thiel determined there was consensus for the Planning Commission to recommend that the Council amend the second sentence of Article VII.D.4.a, as follows: *No parking, maneuvering, or loading areas or driveways shall be located within the front yard setback.*

20. Highway Commercial District – Maximum Height Standards

The 35-foot maximum structural height in the Highway Commercial District proposed in Article VII.D.5.a does not allow for a four-story hotel/motel.

No agreement was reached to amend the provision.

There was agreement to consider an additional Design Standard

21. Supplementary District Regulation – Design Standards and Guidelines

Councilor Watson determined there was agreement to delete Article VIII.J.4.(2).(f), Design Standards for Porch and Deck Columns.

Mayor Volta stated that she would recommend that the City Council delay implementation of the Zoning Code Amendments until January 1, 2006.

Chairperson Thiel said she believed it was essential to include reference to the map entitled "City of Coburg Zoning Map" distributed with material for the Second Reading of Ordinance A-199 in its adoption.

Commissioner Claycomb moved, seconded by Commissioner Greenwell, to recommend to the City Council that it include adoption of the City of Coburg Zoning Map in its approval of Ordinance A-199. The motion was adopted unanimously, 4:0.

Commissioner Claycomb moved, seconded by Commissioner Engebretson, to recommend to the City Council that it adopt Ordinance A-200, with amendments as recommended. The motion was adopted unanimously, 4:0.

The meeting of the Planning Commission adjourned at 10:15 p.m.

V. PERIODIC REVIEW - ADOPTION

Councilor Pech moved, seconded by Councilor Thiel, to adopt Ordinance A-199, AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN TEXT AND MAP, DECLARING AN EMERGENCY, AND AMENDING THE ORDINANCE TO INCLUDE ADOPTION OF THE COBURG ZONING MAP. The motion was adopted unanimously, 5:0.

Councilor Watson moved, seconded by Councilor Judd, to adopt Ordinance A-200, AN ORDINANCE AMENDING THE COBURG ZONING ORDINANCE ARTICLE VII DISTRICT REGULATIONS: SECTION A, TRADITIONAL RESIDENTIAL DISTRICT; SECTION B, TRADITIONAL MEDIUM RESIDENTIAL DISTRICT; SECTION C, CENTRAL BUSINESS DISTRICT; SECTION D, HIGHWAY COMMERCIAL DISTRICT; SECTION E, LIGHT INDUSTRIAL DISTRICT; AND SECTION F, CAMPUS INDUSTRIAL DISTRICT; ARTICLE XII DEFINITIONS; AND ARTICLE VIII SUPPLEMENTAL DISTRICT REGULATIONS; AND REPEALING ARTICLE VII, DISTRICT REGULATIONS SECTION A THROUGH D, ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS A THROUGH F, AND ARTICLE XII DEFINITIONS OF ORDINANCE A-133.

Councilor Pech moved, seconded by Councilor Judd, to amend the motion, as follows:

- a. **Delete Article VII.A.6.b.(2).**
- b. **Delete Article VII.A.2.a.(4).**
- c. **Amend Article VII.E.5.(d), as follows:**

Where an industrial use abuts a residential district, a 25-foot setback is the minimum area that shall be required between any development and adjacent Residential District. Additional setback up to 200 feet may be required where the proposed activity would have a significant impact on adjacent residential property in the form of noise, dust, smoke, vibration or other negative impact that is perceptible beyond the property boundaries. A 25-foot landscaped horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer shall be included within the required yard setbacks. This area shall provide landscaping to screen buildings, parking, and service and delivery areas and walls without windows of entries. The buffer may contain pedestrian seating and pedestrian pathways, but shall not contain any off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with Article VIII.H of this Code.

- c. **Delete Article VIII.J.4.a.(2).(g).**
- d. **Delete Article VIII.J.4.a.(3).(a).**
- e. **Delete Article VIII.J.4.c.(2).(a).**
- f. **Delete Article VIII.J.4.c.(2).(b).**
- g. **Delete Article VIII.J.4.e.(2).(c).**
- h. **Delete Article VIII.J.4.e.(2).(e).**
- i. **Delete Article VIII.J.4.h.(2).(a).**
- j. **Amend Article VIII.J.4.h.(2). (b) by changing the minimum to 4'-0".**
- k. **Amend the second sentence of Article VII.D.4.a, as follows:** ~~No parking, maneuvering, or loading areas or driveways shall be located within the front yard setback.~~

I. Delete Article VIII.J.4.(2).(f).

m. Declare that the Ordinance shall take effect ninety days after its adoption.

The motion to amend was adopted unanimously, 5:0

The motion to adopt Ordinance A-200, as amended, was adopted unanimously, 5:0.

VI. CITY ADMINISTRATOR

Mayor Volta reported the results of interviews with applicants for the position of Coburg City Administrator. She described the process followed and stated that the committee unanimously recommended that Don Schuessler be appointed half-time City Administrator effective September 22. She said it was recommended that the position be considered an employee, that no Public Employee Retirement System or Health Benefits be provided, that personnel policy vacation and sick leave provisions apply, and that the annual salary be \$25,000.

Councilor Judd moved, seconded by Councilor Watson, to accept the recommendations of the committee, with a contract, including probationary period, to be agreed upon within thirty day. The motion was adopted unanimously, 5:0.

VII. PUBLIC WORKS DEPARTMENT

Mr. Olson referred to the Public Works Department Report regarding restructuring an existing loan with the Oregon Department of Environmental Quality (DEQ) for the design and construction of the Coburg Wastewater Treatment System. He explained that Resolution No. 2005-21 authorized the Mayor to sign the necessary documents to accomplish the restructuring.

Councilor Pech moved, seconded by Councilor Thiel, to adopt Resolution No. 2005-21: A RESOLUTION DECLARING THE INTENTIONS OF THE COUNCIL AND AUTHORIZING THE MAYOR TO SIGN THE NECESSARY DOCUMENTS FOR A LOAN FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY. The motion was adopted unanimously, 5:0.

Mr. Olson referred to the Public Works Department Report regarding water storage easement acquisition. He noted that it presented progress on the development of a water reservoir site east of I-5 and property easements to provide access to it. He said the total easement value for five parcels involved was under \$50,000 and reminded Councilors that the water project was funded by loan agreements with the DEQ.

Councilor Judd moved, seconded by Councilor Pech, to accept the report and authorize proceeding with negotiations regarding securing of water storage easements. The motion was adopted unanimously, 5:0.

VIII. FINANCE REPORT

Finance Director David Landrum referred to his Monthly Report. He reviewed bills submitted for approval and explained that the large payment for Liability Insurance was the total annual bill. He noted that the Urban Renewal Agency had been invoiced for expenses incurred by the City in the first quarter. He said he would be able to present summaries and

budget comparisons of fund and department expenses by the November Council meeting. He estimated that July and August exceeded budget expectations, but that a balanced report would be made at the mid-year review.

Councilor Thiel moved, seconded by Councilor Judd, to approve the Accounts Payable dated September 20. The motion was adopted unanimously, 5:0.

Mayor Volta determined there was consensus to add payments to the Editor of the City Newsletter to pre-authorized Bills to be Paid.

The meeting adjourned at 10:55 p.m.

DRAFT

ACCEPTANCE

Yes: _____

No: _____

Abstained: _____

Passed: _____ Rejected: _____

Signed this _____ day of _____ 2005

Judith Volta, Mayor

Attest:

David Landrum, City Recorder

DRAFT