

**CITY OF OREGON CITY
PLANNING COMMISSION HEARING**

February 22, 2010, 7:00 P.M.
City Commission Chambers - City Hall

1. CALL TO ORDER

Roll Call:

Chair Tim Powell
Commissioner Dan Lajoie
Commissioner Carter Stein
Commissioner Chris Groener

Staff Present:

Tony Konkol, Community
Development Director
Laura Butler, Assistant Planner
Christina Robertson Gardiner,
Associate Planner
Pete Walter, Associate Planner
Jennifer Bragar, Deputy City Attorney

Chair Powell called the meeting to order at 7 p.m.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

There was no public comment on items not listed on the agenda.

ADOPTION OF PLANNING COMMISSION MINUTES

February 8, 2010 Planning Commission Hearing Minutes

Motion by Commissioner Chris Groener, second by Commissioner Carter Stein to approve the minutes of the February 8, 2010 minutes as written.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener voting aye.
[4:0:0]

4. PLANNING COMMISSION HEARING

**Oregon City Code Amendments: 6-month update (Planning
File L 08-01).**

Commission Report

Staff Report

Proposed Municipal Code Amendments by Chapter

Ordinance 10-03

Memo Describing Proposed Amendments

L 08-1014 Ordinance

Dan Berge letter to be entered 2/22/2010

Curb Cut Code to be entered 2/22/2010

City Attorney corrections to be entered 2/22/2010

Christina Robertson-Gardiner, Associate Planner, entered Exhibits A-C into the record which were proposed changes to Chapter 12.04.25, grammatical edits to Chapter 17.49, and a letter from Dan Berge dated February 22, 2010. She updated the Commission on outstanding issues. Regarding temporary structures, membrane structures and metal accessory buildings would be included. The Code changes would be sent to the Citizen Involvement Committee (CIC) for comments as well. Regarding archeological resources, the Archeological Sensitivity Map would need to be done through a consultant and would be a separate project. She proposed Code changes that would require an archeological recommendation letter from SHPO as a completeness requirement in subdivisions, partitions, site plan and design review, and historic review. The Commission wanted to give applicants 45 days for the required letter. They would also like to review the map at some point.

The legislative projects that were put on hold were upzoning commercial land in the South End area, the Sign Code update, and regulation of trees on private property.

Pete Walter, Associate Planner, discussed the changes to Chapters 17.41 and 17.49. These were modification of dimensional standards in the Tree Protection Code and changes to the Natural Resource Overlay District.

Ms. Robertson Gardiner explained additions to 17.65 regarding offsite impacts and 17.80 regarding creating an option for support facilities underground. Through this Code amendment process, the Planning Commission received three requests for rezoning. Staff thought these zoning amendments did not fit within the scope of the current legislative review process and had pre-existing reasons for their current zoning, or had outstanding issues in regard to future redevelopment should be reviewed as applicant-initiated amendments.

Mr. Walter said staff had been working with Dan Berge and AKS Engineering on a partition or subdivision of the land which Mr. Berge owned. The City did not consider this land divided or partitioned yet, however a tax lot was created and a house on the property was sold and it was an illegal land division. Mr. Berge had proposed at a previous Planning Commission meeting to incorporate language that allowed lot validation into the City Code. Staff recommended not creating a process that superseded the Land Division Ordinance and thought it

should go through an applicant-initiated process rather than be dealt with in the current legislative review.

Ms. Robertson Gardiner said the Planning Commission could choose to forward a recommendation to the City Commission of L 08-01 six month update proposal as amended. This would go to the City Commission in March. There would be a workshop of the City Commission and Planning Commission on March 9 for discussion.

Chair Powell reopened the public hearing.

Dan Berge of Oregon City said he could not put in an application without the neighbor, and the neighbor was not willing. He could not sell or divide the property and the tax assessor reduced the value of the property because it was not buildable. He also discussed another property he owned on Highway 213 which had been rezoned to industrial use and he had trouble getting permits for the commercial building on the property.

Chair Powell closed the public hearing.

Chair Powell wanted to further discuss Mr. Berge's issues, but separate from the Code amendment process. The Commission agreed.

Chair Powell said a lot of work had been done on the Code amendments and it was a good package to forward on to the City Commission.

Motion by Commissioner Carter Stein, second by Commissioner Dan Lajoie to recommend approval of the Municipal Code Text Amendments L 08-01 as amended in the record.

A roll call was taken and the motion passed with Chair Tim Powell, Commissioner Dan Lajoie, Commissioner Carter Stein, Commissioner Chris Groener voting aye. [4:0:0]

5. COMMUNICATION

Mr. Konkol gave an update on upcoming pre-applications for the Cove apartments, Housing Authority of Clackamas County, and Danielsons. There had been discussion about looking into Eastham School for a new library site. The Park Place annexation would be going to a vote on May 18, 2010. Mr. Konkol also discussed the City Manager recruitment process, South End Concept Plan, and upcoming meetings.

ADJOURN

Chair Powell adjourned the meeting at approximately 8:10 p.m.