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THE CITY OF GARIBALDI IS AN EQUAL OPPORTUNITY PROVIDER

REGULAR PLANNING COMMISSION MEETING MINUTES

Monday, February 11, 2008, 6:30 p.m.
Council Chambers, Garibaldi Meeting Hall

PUBLIC HEARING (LEGISLATIVE) - ORDINANCE NO. 304 AMENDING THE GARIBALDI ZONING CODE TO ADD DOWNTOWN ZONING, AMEND THE COMPREHENSIVE PLAN AND ZONE MAP, ALLOW FOR LIMITED VACATION RENTAL USES, CORRECT SCRIVENERS' ERRORS, AND UPDATE LANGUAGE

I. CALL TO ORDER

Public Hearing was called to order at 6:30 p.m. by Commission Chair Paul Schachner. Present were Vice Chair Carolee North, Commissioners Bil Luth, Herb Dorn and Nick Stumpf, Planner Dale Jordan, Public Works Director Wayne Schultz, and City Administrator Kevin Greenwood. Also present were Larry Cantrell, Amber Nobe (*Headlight-Herald*), and Toby and Teresa Taylor. Schachner reviewed legislative public hearing procedures.

II. HEARING PROCEDURE

Dale reviewed staff report. City met the state's legal requirement for noticing by publishing the notice in the newspaper. The city went beyond the requirement by additionally posting the notice at City Hall, city reader board and at the post office. A notice was also published in the city newsletter and was mailed to all property owners living outside the city limits. In addition, five workshops starting in June 2007 were noticed on the topic and the commission had public participation during those meetings. Jordan reviewed boundaries of the proposed zone, authorization of the zoning code and comp plan to create a new zone. He added that the process began when the city council asked for and received from ODOT a Special Transportation Area designation allowing cities that have a state highway serving as a main street more control over how the highway is developed. DLCD has tried to make highways more retail and pedestrian friendly in these environments. DLCD suggested language to the this code amendment and has been supportive. Jordan also showed an architect's version of the downtown plan workshopped separately by the Garibaldi Urban Renewal Agency.

No correspondence was received by the staff or commission.

Scachner recited prior to public testimony that the pertinent criteria are contained

in the staff report. Testimony and evidence must be directed toward that criteria. Material produced during testimony must be submitted to the recorder. Failure to address a criterion precludes appeal based on that criterion. Any party may request that the hearing record remain open for at least seven days. This must be requested prior to the closing of the hearing. Persons who testify must first receive recognition from the chair, state their full name and address.

Bill Gibson, Milwaukie, Ore., owns the Miller's Sea Food site. Plans for his proposed development were based upon the old Commercial (C-1) Zone standard and that proposal would not completely conform to the proposed zone. He did note that his partners had met with city staff and representatives of DLCD to discuss a compromise and added that they're on board unless there's a significant change.

Toby Taylor, Garibaldi, apologized for not attending the workshops but is excited about the vision. As a past council member, he recalled that some street parking had been eliminated for turn lanes and didn't want to see speed zones slowed down too much congesting downtown. Schachner added that the city is considering parking alternatives, but that there has been some desire to slow traffic downtown for pedestrian safety. North commented that the proposed bump-outs should slow traffic and assist in pedestrian safety, but cautioned that all of these changes will need to meet ODOT approval. The plan is a vision for the future and would be applied for future development. Discussion on maintaining 15-ft. travel lane to ensure good traffic flow and safety from on-street parking areas.

Larry Cantrell, Newberg, Ore., owns the Bay House Vacation Rental, disagreed that city staff had done an adequate job contacting affected property owners. Would have attended workshops if he had received notice and lobbied for extending the D-1 Zone to 12th (current proposal has the zone stopping one lot short of 12th). North noted that the commission had matched the C-1 zone boundaries in that part of town. Asked Greenwood about mailing of notices. Greenwood stated to the commission that he could produce newsletter mailing list and that Mr. Cantrell is on the list. Cantrell expressed frustration about being considered a non-conforming use when he had contacted city staff prior to starting his business to make sure that a vacation rental would be allowed. Greenwood gave background on the vacation rental use issue and that this amendment would make all five vacation rentals in town legal outright uses. Additional vacation rentals in this area would need to apply conditionally. "Tourist housing" is an outright use in the D-1 Zone.

III. ADJOURNMENT

Chair Schachner adjourned hearing at 7:10 p.m.

TO FOLLOW - REGULAR PLANNING COMMISSION MEETING

IV. CALL TO ORDER

Chair Schachner called to order the regular planning commission meeting at 7:14 p.m.

V. MINUTES – REGULAR PLANNING COMMISSION MEETING AND HEARING – JANUARY 14, 2008.

MOTION made by Luth to accept the January 14th minutes as presented. Seconded by North. None opposed, motion passed.

VI. ORDINANCE AMENDING THE ZONING CODE (LEGISLATIVE ACTION)

Deliberation on the legislative hearing matter. Discussion about extending the downtown zone to 12th. Luth felt that the neighborhood was more conducive to a residential setting and questioned about the inclusion of the Kandle property in the C-1 zone. Greenwood noted that his property had originally been zoned R-1, but that Mr. Kandle, in the 80s, had applied for and received the C-1 zone boundary extension. Commission agreed to recommend the proposed boundary due to the more residential nature of 12th St. and Bay Lane.

MOTION made by Dorn to recommend approval to the City Council for approval of the findings from the staff report and public hearing, the D-1 Zone text and boundaries, vacation rental policies, corrections to scriveners' errors and updated language. Seconded by Stumpf. None opposed, motion passed.

VII. OTHER ISSUES

Commission reviewed final drawings from the GURA downtown master planning workshops. North noted that GURA will proceed with gateway signs. Greenwood added that at the last workshop there had been some discussion about focusing on a specific part of town as a next priority, but that GURA will determine that priority. There will be a GURA business meeting at 6:00 p.m. prior to the Council hearing at 6:30 p.m. and that GURA will most likely schedule a work session on the gateway signs.

Re: Old Mill entrance at Second St. Greenwood felt that the Council did not favor initiating the development of the Second St. intersection. Since the intersection is included in the city's comp plan, there will be authority to create the intersection, but that the city will probably wait until there is significant development at the Old Mill.

Taylor gave an update on the Upper Biak development. He indicated that they will ask for a year extension on the final order, but that they are gaining. Property is cleared of all trailers.

Greenwood noted that the location for the gateway signs will take some work as the Merritts have been difficult to pin down for a conversation about easements for a sign.

Schachner shared that Norma the librarian would like to see a "Community Hall" sign above the glass doors on Acacia Ave.

Stumpf invited all to a Community Potluck and added that TCSO deputies will be in attendance to discuss community policing.

Greenwood acknowledged that the city had received questions about “mining” behind the storage units. Staff reviewed the conditional use and determined that only allowed “maintenance” was occurring.

VIII. ADJOURNMENT

Meeting adjourned by Schachner at 7:27 p.m.

Paul Schachner, Chair

ATTEST:

Kevin M. Greenwood, Administrator