

**CITY OF JOHN DAY
CITY COUNCIL/PLANNING COMMISSION MINUTES
JOHN DAY, OREGON**

October 8, 2019

COUCILORS PRESENT:

Ron Lundbom, Mayor
David Holland, Councilor
Paul Smith, Councilor
Elliot Sky, Councilor
Shannon Adair, Councilor
Gregg Haberly, Councilor

COUNCILORS ABSENT:

Steve Scheutte, Councilor

COMMISSIONERS PRESENT:

Ken Boethin, Commission Chairman
Tim Unterwegner, Commissioner
Neale Ledgerwood, Commissioner
Tom Wilson, Commissioner
Darin Toy, Commissioner

COMMISSIONERS ABSENT:

STAFF PRESENT:

Nicholas Green, City Manager
Chantal DesJardin, Secretary
Monte Legg, Public Works Director

Anna Bass, Solutions CPAs (City Recorder)
Daisy Goebel, Associate Planner
Aaron Lieuallen, Senior Project Manager

GUESTS PRESENT:

Patti Salvino, 328 N Humbolt, Canyon City

Rudy Diaz, Blue Mtn. Eagle

Agenda Item No. 1 –Open and Note Attendance

Mayor Lundbom called the work session to order at 6:00 pm, noting everyone was present except Councilor Schuette was absent and excused

Agenda Item No. 2—Approval of Prior City Council Minutes

Councilor Sky noted the minutes stated he was not in attendance in Item 1 but he was actually present.

Councilor Haberly moved to approve the August 27th work session minutes, as amended. The motion was seconded by Councilor Adair and passed unanimously.

Agenda Item No. 3—Appearance of Interested Citizens

Mayor Lundbom welcomed the audience and asked if anyone had anything to add to the agenda. Patti Salvino asked if the council had made a decision regarding her RV occupation; Mayor Lundbom noted it was one of the items they would be discussing as part of the agenda but they would not be making a decision yet.

Agenda Item No. 4—Annual Planning Report

City Manager Green reviewed some of the planning activity included in the agenda memo and planning activity log. City Manager Green noted as a result of the increase in activity he has offered a position to Daisy Goebel; she will do all the land use reviews, property line adjustments, site design reviews, assist with code enforcement and with long range planning required by law such as the five year natural hazard mitigation planning and FEMA updates, and the 2021 comprehensive plan update. He hopes it will reduce the city approval timelines, since they are the first stop for any development and reduce unpermitted development and the resulting code enforcement activity. Green added that all the actions for review tonight are Type IV, as code amendments, require review and approval by the planning commission and city council after public hearing and notice. The public hearing will be noticed next Wednesday and held on November 12th, so tonight is the opportunity to make any further changes. He noted that the fees have not been updated since 2005 and may need to be revisited to make sure the city is capturing the extent of the work that goes into some of the applications. The intent is not to have fees that achieve full cost recovery, but more than the roughly five days they currently cover.

Agenda Item No. 5—AMD-19-01, Comprehensive Plan Map Change, Comprehensive Plan Text Change, and Land Use Regulation Change for the John Day Innovation Gateway

City Manager Green reviewed the information included in the agenda memo and technical memo attachment. Green highlighted some of the ways the amendments maintain the current policies such as keeping development harmonious with the history and heritage of the site as former timber mills. He also added that the economic policies are intended to encourage investments that increase profitability for the community and businesses, increase growth, or improve quality of life. The public facilities policy change will require future developments of any scale use reclaimed water for any non-potable uses wherever the reclaimed water is available, an effort to conservation and shift away from freshwater uses. The reclaimed water will have to be discounted appropriately in order to make affordable and those details will be finalized with the treatment plant planning. Mayor Lundbom asked about how some of the recommendations had been reached, it was noted they were drafted by APG from efforts by the integrated planning team. Green added that he spoke to Iron Triangle, the only private property owner directly impacted, about the northwest changes and they are very supportive of the proposals because it creates greater flexibility for the use of their property. Green noted the remainder of the memo is planning and implementation focused.

Agenda Item No.6 —AMD-19-02, Land Use Regulation Change for the John Day Special Flood Hazard Area

City Manager Green reviewed the agenda memo and staff report and noted some of the ways he tried to tailor the state ordinance to our community. An example is the base flood elevation could be three feet, which adds development costs, but virtually negates the flood insurance cost. Communities can allow zero elevation, but it significantly increases flood insurance rates for everyone; the council chose one foot in the past, so Green maintained that in the new ordinance to keep rates near the same. Green also noted that most of the changes are regarding implementation; the new ordinance has more specific requirements to enforce and hopefully clarify for those developing. Green noted that a significant portion of the city is in the flood hazard area so it is an important topic and part of the development code. Green noted that existing structures in the floodway are allowed to stay but likely new development would not be approved, even after extensive review. He also noted that FEMA regulates on the basis that any structure with any portion touching the floodplain or floodway is

included. Green added that it delineates the city's requirements for notification and provides methods for removal if a property undergoes some kind of qualifying change in circumstance. Rudy Diaz asked if the those properties in the floodway need to do anything. Green stated that every property that would be affected by changes in the floodplain received notice a year ago of the proposed changes; there was also a county-wide public meeting. Any development applications will be checked to see if it is part of the updated floodplain map; the greenway overlay is another overlay that an often forgotten update from 2005. There was further discussion about the parameters outlined in the code regarding the greenway overlay.

Agenda Item No. 7—AMD-19-03, Land Use Regulation Change for Housing and Temporary Use Permits for Recreational Vehicles

City Manager Green reviewed some of the changes to the development code lined out in the staff report. He noted that some of the language included may be reviewed or refined by the city's professional planners so the intent should be the focus of review. Planning Chairman Boethin commented that "satisfactory progress" referenced in 5-2.2.100(L)(3)(A)(2) needs to be defined because it means something different to everyone in the room. There was discussion about how this could be defined. There was also discussion about whether the permit would be reviewed after 18 months or periodically during the 18 month period. Green added he would speak with the planners about definitions and metrics for determining whether review of progress is necessary before 18 months. There was clarification about the implementation of the terms regarding removal of a unit once the permit expires, specifically in regards to a recreational vehicle. Those kind of units are allowed to stay on the property but must be removed from services and cease occupation, they can remain on the premise for storage purposes only. Green noted he would work on better refining the explanation of that term. He also reviewed which types of review specific requests would fall under and under what conditions the planning commission would need to be involved. Commissioner Wilson asked about the definition of a "self contained RV"; Green commented he would look into it and see if it needed to be removed from the language. Mayor Lundbom asked about the requirement for RV's to be licensed and insured; Green noted if it was not stipulated, he would make sure that was included, potentially falling under safety hazards referenced in 5-2.2.100 (L)(3)(B)(4)(f). Rudy Diaz asked if there was a limit to the number of times the permit could be renewed; Green noted there was not a limit included just the stipulation that it be an annual renewal. Councilors commented that it is anticipated that conditions that qualify for a special situation would have resolved within a year and if it cannot be resolved it that time, it is likely not extenuating circumstances that warrant a temporary residence. City Manager Green gave some examples of anticipated ways the amended provisions of 5-4.9-010 would be utilized. He also briefly touched on examples of properties that would be affected by Amendment 6 in the staff report. It was noted that internal improvements to facilitate transition between uses will be allowed. New residential development or additions will not, the city will need to be vigilant to ensure modular accessory structures being approved under certain accessory uses are not being converted for potential residential occupation.

Adjourn

Chairman Boethin moved to adjourn the meeting at 6:53PM. The motion was seconded by Councilor Adair and passed unanimously.

Respectfully Submitted:

Nicholas Green
City Manager

ACCEPTED BY THE CITY COUNCIL/PLANNING COMMISSION ON NOVEMBER 12, 2019

A handwritten signature in black ink, appearing to read 'RL', is written over a horizontal line.

Ron Lundbom, Mayor