



City of Sutherlin
Planning Commission Meeting
Tuesday, July 17, 2018
7:00 p.m. – Sutherlin Civic Auditorium
Agenda

Pledge of Allegiance

Introduction of Media

Approval of Minutes

June 19, 2018 – Regular Meeting

Findings of Fact and Decision

- 1. WATER MASTER PLAN Findings of Fact and Decision for** the recommendation of approval to City Council of the Comprehensive Plan Amendment and Public Facility Plan Amendment replacing the 2006 Water Master Plan with the adoption of the 2017 Water Master Plan. **PLANNING DEPARTMENT FILE NO. 18-S009.**

Quasi-Judicial Hearing(s)

- 1. RODNEY LINTON (representative for Saint Vincent de Paul)**, request for a Conditional Use Permit to authorize Vehicle sales on property located on the north side of E. Everett Avenue in the City of Sutherlin. Vehicle Sales and Services, including fuel sales are a conditionally permitted use in the C-1 zone. The proposed use will be located in the northeast section of the property and within the existing building. The subject 0.12 acre property is described as Tax Lot 11500 in Section 17DC, T25S, R5W, W.M.; Property ID No(s). R56310; and is addressed as 117 E Everett Avenue. It is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial. **PLANNING DEPARTMENT FILE NO. 18-S010. (Continued from the June 19, 2018 Meeting).**

Monthly Activity Report(s)

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, JUNE 19, 2018**

COMMISSION MEMBERS PRESENT: John Lusby, William Lee, Richard Price, Sam Robinson, Collin Frazier, Adam Sarnoski and Elainna Swanson

COMMISSION MEMBERS EXCUSED: None

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Jamie Chartier, City Planner and Kristi Gilbert, Community Development Specialist

AUDIENCE: Gladys Robinson

Meeting called to order at 7:00 pm by Chair Lusby.

FLAG SALUTE

INTRODUCTION OF MEDIA: None

INTRODUCTION OF NEW PLANNING COMMISSION MEMBERS

APPROVAL OF MINUTES

A motion made by Commissioner Price to approve the minutes of the May 15, 2018 Planning Commission meeting; second made by Commissioner Lee.

In favor: Commissioners Price, Lee, Frazier, Robinson and Chair Lusby

Opposed: None

Motion carried unanimously with Commissioner Swanson abstaining

QUASI-JUDICIAL PUBLIC HEARING

1. **RODNEY LINTON (representative for Saint Vincent de Paul)**, request for request for a Conditional Use Permit to authorize Vehicle Sales on property located on the north side of E. Everett Avenue in the City of Sutherlin. Vehicle Sales and Services are a conditionally permitted use in the C-1 zone. The subject 0.12 acre property is described as Tax Lot 11500 in Section 17DC, T25S, R5W, W.M.; Property ID No(s). R56310; and is addressed as 117 E. Everett Avenue. It is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial. **PLANNING DEPARTMENT FILE NO. 18-S010.**

Chair Lusby opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Chair Lusby asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lusby asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lusby asked for the Staff Report.

Jamie Chartier, City Planner, entered Staff Exhibits 1-10, including the Staff Report into the record. She then identified the parties in the matter and summarized the Staff Report into the record.

APPLICANT'S TESTIMONY

Rodney Linton stepped forward being the applicant and asked the Planning Commission and City Staff about the paving design standards (proposed condition number 6). Chair Lusby stated that the design standards are in the Sutherlin Development Code (SDC) and that paving is required for any new development. Mr. Linton asked if there is a Variance application that could be applied for, Mrs. Chartier and Mrs. Gilbert researched in the SDC and concluded a Variance to Design Standards is not permitted.

Mr. Linton explained the cost associated with it and that Saint Vincent de Paul's Board of Directors would have to approve that type of expense and asked the hearing to be continued to the following month.

Chair Lusby closed the public hearing portion for this application.

Commissioner Price motioned to continue the public hearing to allow the applicant to confirm with his Board of Directors on the conditions of approval. Commissioner Frazier seconds the motion.

LEGISLATIVE HEARING(S)

1. **WATER MASTER PLAN** The City of Sutherlin will adopt by reference into the Comprehensive Plan the recently completed Water Master Plan that was completed in December, 2017. The City of Sutherlin Water Master Plan was compiled to provide guidance to address the City of Sutherlin's future water needs. The Plan summarizes the components of the existing water distribution system, analyzes local water demand patterns, evaluates the performance of the water system with respect to critical service standards, and identifies the improvements necessary to remedy system deficiencies and accommodate future growth. **PLANNING DEPARTMENT FILE NO. 18-S009.**

Chair Lusby opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Chair Lusby asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lusby asked the audience if there were any challenges of

impartiality of any person(s) on the Commission. Hearing none, Lusby asked for the Staff Report.

Kristi Gilbert, Community Development Specialist, entered the Staff Report into the record and then summarized the Staff Report for the Planning Commissioners. No questions were raised.

Commissioner Lee motioned to approve to City Council the Water Master Plan, Commissioner Price seconds the motion.

MONTHLY ACTIVITY REPORT

Jamie Chartier, City Planner, asked the Commissioners if they had any questions with the Activity Report that was given to them in their packets. Commissioner's agreed they are happy to see development taking place and are appreciative for receiving the activity report in the packets.

PUBLIC COMMENT - None

COMMISSION COMMENTS - None

ADJOURNMENT - With no further business the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Jamie Chartier, City Planner

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2018.

John Lusby, Commission Chair

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a Comprehensive Plan Amendment
And Public Facility Plan Amendment replacing the 2006
Water Master Plan with the adoption of the 2017 Water
Master Plan.

] FINDINGS OF FACT AND
] DECISION
] Applicant: City of Sutherlin
] Subject: Comprehensive Plan
] Amendment and Public Facility
] Plan Amendment

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Amendment and Public Facility Plan Amendment were advanced by the City of Sutherlin as a legislative action pursuant to Sutherlin Development Code and Oregon Revised Statute to replace the 2006 Water Master Plan with the 2017 Water Master Plan based on the increase in population and water usage per capita, and evolving variables.
2. DLCD Notice of Proposed Amendment was mailed to the Department of Land Conservation and Development on May 15, 2018, which was at least 35 days prior to the first evidentiary public hearing on June 19, 2018. DLCD did not provide comments on the application.
3. Pursuant to Sections 4.2.150 and 4.2.140 of the Sutherlin Development Code, notice of the public hearing was given by publication in the News Review on June 5, 2018, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on the application for the Comprehensive Plan Amendment and Public Utility Amendment before the Planning Commission was provided in accordance with Section 4.2.150. Notice was sent to affected service providers and governmental agencies on May 29, 2018. One written comment was received from the Oregon Department of Transportation (ODOT), stating they have no comments.
5. The Planning Commission held a public hearing on this matter on June 19, 2018.
6. At the public hearing on June 19, 2018, there were no declarations of exparte contact or other conflicts of interest made by the Planning Commission. No objections were raised and the Commission was qualified to hear the matter.
7. Reference was made to the June 12, 2018 Staff Report, draft Ordinance and findings of fact addressing conformance to the applicable criteria of the Statewide Planning Goals, the applicable goals and policies of the Sutherlin Comprehensive Plan, and the applicable criteria of the Sutherlin Development Code.
8. Kristi Gilbert, Community Development Specialist with the City of Sutherlin, presented the Staff Report dated June 12, 2018.
9. The Planning Commission provided opportunity to receive oral testimony from persons in support, opposition or neutral of the application.

10. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

FINDINGS OF FACT RELATED TO DECISION

1. The Planning Commission expressed no objections to the Comprehensive Plan Amendment and Public Facility Amendment, for the proposed 2017 Water Master Plan.

FINDINGS OF FACT

COMPLIANCE WITH THE STATEWIDE PLANNING GOALS

Goal 1 - Citizen Involvement. *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action taken did not amend the citizen involvement program. The process for adopting the Water Master Plan se amendments complied with Goal 1 since it complied with, and surpassed the requirements of, the citizen involvement provisions. Throughout the development of the Water Master Plan, the citizens of Sutherlin were given important opportunities to comment upon and shape the emerging plan. Therefore, the process followed is consistent with Goal 1.

Goal 2 - Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

The record shows that there is an adequate factual base for the adoption of the Water Master Plan and the amendment of the comprehensive plan and public facilities plan.

The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of this action with the Umpqua Basin Water Association, the water service purveyor located south of the City and the City of Oakland, located north of the city and provides for interconnection of those systems to address needs of the area and reduce costs to all customers.

There are no Goal 2 Exceptions required for this action. Therefore, the amendments are consistent with Goal 2.

Goal 3 - Agricultural Lands. *To Preserve Agricultural Lands.*

The Water Master Plan addresses property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The Water Master Plan addresses property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. To conserve open space and protect natural and scenic resources.

The Water Master Plan does not create or amend the city's list of Goal 5 resources, does not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, does not allow new uses that could be conflicting uses with a significant Goal 5 resource site and does not amend the acknowledged UGB. Therefore, Goal 5 does not apply.

Goal 6 - Air, Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the state.

The Water Master Plan furthers the City's ability to provide for clean water resources. Therefore, the action is consistent with Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

The Water Master Plan does not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, it does not allow for new development that could result in a natural hazard. Therefore, Goal 7 does not apply.

Goal 8 - Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The Water Master Plan does not affect the city's provisions for recreation areas, facilities or recreational opportunities. Therefore, Goal 8 does not apply.

Goal 9 - Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The Water Master Plan does not impact the supply of industrial or commercial lands. Therefore, the action is consistent with Goal 9.

Goal 10 - Housing. To provide for the housing needs of citizens of the state.

The Water Master Plan does not impact the supply of residential lands. Therefore, the action is consistent with Goal 10.

Goal 11- Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The action taken is the City's adoption of a Water Master Plan to guide the City's provision of a key public facility. The plan addresses the timely, orderly and efficient arrangement of services, distinguishes service levels between rural, urban and urbanizable land uses, and addresses the planning and implementation guidelines set out

in the Oregon's Statewide Planning Goals and Guidelines. The Plan does so consistently with Goal 11.

Goal 12- Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

(1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility....*

(2) *A plan or land use regulation amendment significantly affects a transportation facility if it:*

- (a) *Changes the functional classification of an existing or planned transportation facility;*
- (b) *Changes standards implementing a functional classification system;*
- (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility;*
or
- (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP*

The Water Master Plan does not significantly affect a transportation facility. It is consistent with Goal 12.

Goal 13- Energy Conservation. *To conserve energy.*

The action does not concern energy conservation. Therefore, Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The action does not affect the City's provisions regarding the transition of land from rural to urban uses. Generally, the Water Master Plan, in concert with the City's recently adopted Park and Open Space Master Plan, Transportation Master Plan and currently being developed wastewater Facility Plan, assumes the same growth parameters, common expectations of expansion of the City and its urban growth boundary and that this plan addresses providing for internal coordination and interaction of these plans.. Goal 14 does not directly apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The action does not contain any changes that affect the regulation of areas within the Willamette River Greenway. Therefore, Goal 15 does not apply.

Goals 16 - 19. Estuarine Resources, Coastal Shore/ands, Beaches and Dunes, and Ocean resources.

These Statewide Planning Goals do not apply to the actions taken.

ADDITIONAL FINDINGS

1. The Water Master Plan and the amendments required for its adoption are in conformance with the remaining portions of the City's acknowledged Comprehensive Plan and Public Facility Plan as is demonstrated in the above discussion of compliance with the Statewide Planning Goals.
2. The Water Master Plan satisfies the Oregon Health Division requirements (OAR 333-061- 0060) that all cities with 300 or more service connections have a current master plan which, (a) evaluates the existing system's components; (b) predicts future water demands; (c) evaluates the capability of the existing system to meet future demands; (d) recommends improvements needed to meet future needs and/or to address deficiencies.
3. The Water Master Plan provides a Water Management and Conservation Plan, as a separate document alongside of the 2017 Water Master Plan, as required by OAR 690-086-0010.
4. The Water Master Plan supersedes and hereby replaces the 2006 Water Master Plan adopted by Ordinance 969. The 2017 Sutherlin Water Master Plan shall be made a part of the Sutherlin Comprehensive Plan, but shall be maintained as a separate document.

CONCLUSION

1. A motion was made by Commissioner Lee and seconded by Commissioner Price to approve the Comprehensive Plan Amendment, Public Facility Plan Amendment adopting the 2017 Water Master Plan, forwarding the recommendation of approval to the City Council. The motion passed unanimously.
2. The Commission adopts the findings of the Staff Report and draft Ordinance in the record support of their decision.

NOW, THEREFORE, based upon the foregoing findings of fact and the oral testimony provided, the Sutherlin Planning Commission recommends to the City Council the ADPOTION of the requested Comprehensive Plan, Public Facility Plan and Water Master Plan.

DATED THE _____ DAY OF JULY, 2018.

John Lusby, Planning Commission Chair



Community Development
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856
Fax (541) 459-9363
www.ci.sutherlin.or.us

City of Sutherlin

July 10, 2018

MEMORANDUM

TO: Planning Commission Members

FROM: Jamie Chartier, City Planner

RE: RODNEY LINTON (representative from Saint Vincent de Paul), request for a Conditional Use Permit to authorize Vehicle Sales on property located at 117 E. Everett Avenue. Planning Department File No. 18-S010.

During the June 19, 2018 Planning Commission meeting on the above referenced matter, the Planning Commission opened the hearing and heard testimony from the applicant. The applicant had questions regarding the condition(s) of approval listed in the Staff Report. Staff and the Commission answered the applicant's questions. The applicant still had concerns regarding condition number six (6) and asked that the hearing be continued. The Commission granted the request to continue the hearing.

Therefore, the public hearing has been continued to **July 17, 2018 at 7:00 p.m.** to allow the applicant more time.

C:



City of Sutherlin

Date: July 10, 2018
To: Sutherlin Planning Commission
From: Community Development
Re: Monthly Activity Report

This report is provided in an effort to keep you apprised of recent land use and other relevant activities.

TRANSPORTATION

Central Avenue Paving Improvement is nearly completed. It is now a smooth drive through the City. Finishing touches will continue as the project comes to a close with the striping to take place the week of July 16, 2018.

Valentine Ave Paving Improvement is in the surveying and design phases, with final plans to be submitted in December, 2018. Actual construction anticipated to begin May of 2019.

Transportation System Plan (TSP) ODOT plans to issue the Notice to Proceed to Kittelson and Associates this month. TSP revision process will soon be underway.

UTILITIES

Tapani Construction, Inc began construction on the Wastewater Treatment Facility on May 29, 2018. Construction is now underway.

PARKS

Ford's Pond Community Park – In partnership with Friends of Ford's Pond, the City is continuing to seek grant funding for the construction of Phases 1 and 2a of the Master Plan.

LAND USE ACTIVITY

Building Worksheets

- 2018-01 – 2018-72 on previous Activity Report(s)
- 2018-73 538 Tanglewood – Garage
- 2018-74 607 Wildcat Canyon Rd – Single Family Dwelling

Active Land Use Applications

- 18-S001 – Blocher Property Line Adjustment
- 18-S002 – Daniel Lang Conditional Use Permit
- 18-S003 – Land Mark Surveying Land Partition
- 18-S004 – Dagele Home Occupation
- 18-S005 – Wolford Home Occupation
- 18-S006 – Kostner Tree Falling Permit
- 18-S007 – Kostner Property Line Adjustment
- 18-S008 – Perkins Class A Variance
- 18-S009 – City of Sutherlin Comp Plan update (Water Master Plan)
- 18-S010 – Linton Conditional Use Permit
- 18-S011 – Shaver Land Partition

Right of Way Applications

- 18-01 – 18-17 on previous Activity Report
- 18-18 – Avista – 202 E. Central Ave
- 18-19 – Avista – 247 Mardonna to Second Ave
- 18-20 – Avista – 401 S. Comstock
- 18-21 – Avista – 842 NE Fourth Ave west to Mardonna
- 18-22 – Avista – 877 First Ave west to Mardonna