

Agenda
Shady Cove Planning Commission Meeting
Thursday, March 9, 2023
6:00 PM

<https://us02web.zoom.us/j/89718332457?pwd=NzM3a1VTZnZLYnBzbkg2SEZrMDQwUT09>

Meeting ID: 897 1833 2457

Passcode: 687619

One tap mobile

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I. Call to Order

A. Roll call.

B. Announcements by Presiding Officer.

1. This meeting is being digitally recorded.
2. The next regularly scheduled meeting of the Planning Commission will be held on March 23, 2023, at 6:00 PM both in Council Chambers and via Zoom.
3. The meeting date is subject to change.

II. Consent Calendar

A. Planning Commission Public Hearing Minutes of February 23, 2023

III. New Business

A. Discussion – Where Planning Commission is Today

B. Discussion – Rules of Conduct

IV. Subject of Workshop

None

V. Department Reports

A. Planning Technician Report

VI. Public Comment

VII. Commissioner Comments

VIII. Adjournment

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

City of Shady Cove
Planning Commission Public Hearing Minutes
February 23, 2023
Meeting was held at City Hall and on Zoom

I. CALL TO ORDER

Vice Chair Magill called the Planning Commission Public Hearing to order at 6:00 PM

Staff Present: Debby Jermain, Planning Technician; Rowan Fairfield, Contract City Planner; Thomas J. Corrigan, City Administrator via Zoom;

Commissioners present: Commissioner Magill, Commissioner Willis

Commissioner Edwards, Commissioner Stirling and Commissioner Richardson were sworn in.

I.B. ANNOUNCEMENTS

The Chair made the announcements on the agenda.

II. NEW BUSINESS

Motion to Appoint Commissioner Stirling as Planning Chair

Motion: Commissioner Magill

Second: Commissioner Richardson

Motion Carried 5-0

III. PUBLIC HEARING

Type III (Quasi-Judicial) Planning File No. CUP 22-06 Request for Conditional Use Permit 108 Hudspeth Lane, Shady Cove, Oregon to use an existing Accessory Dwelling Unit (ADU) as a vacation or short-term rental by owner (VRBO). Owner/Applicant: Aaron Buckle. Open Public Hearing 6:05pm.

1. No objection to jurisdiction question; no conflict of interest; no Ex Parte contact and all Commissioners had visited the site.
2. Staff provided overview of Criteria and recommendation in the Staff Report.
3. Commission heard from Applicant Aaron Buckle.
4. There was no opposition. Closed Public Hearing 6:30pm.
5. Commission discussion included number of parking spaces, maximum number of guests, landscape plan, Certificate of Occupancy from County.

I move that the Planning Commission approve File CUP 22-06 to permit a short term rental use located at 108 Hudspeth Lane. My motion incorporates the findings of fact and the conditions of approval recommended by staff in its report dated February 16, 2023, together with the following modifications to the conditions: 1) Submission of Landscape Plan, 2) Occupancy sign off by the County.

2nd Motion: Commissioner Magill Second: Commissioner Edwards
Motion Carried 3-2 (Nay Richardson & Edwards)

Discussion ensued. Commissioner Richardson requested an amendment to previous motion to include 3) Landscaping completed before business license issued.

1st Motion (includes Richardson amendment)
Commissioner Richardson Second: Commissioner Edwards
Motion Carried 3-2 (Nay Magill & Willis)

Discussion to strike both motions. Commission clarified its intent with the following motion (3rd motion).

I move that the Planning Commission approve File CUP 22-06 to permit a short term rental use located at 108 Hudspeth Lane. My motion incorporates the findings of fact and the conditions of approval recommended by staff in its report dated February 16, 2023, together with the following modifications to the conditions: 1) Submission of a Landscape Plan, 2) Occupancy sign off by the County, 3) Completion of landscape plan before business license issued.

3rd Motion: Commissioner Magill Second: Commissioner Willis
Motion Carried 5-0

Type III (Quasi-Judicial) Planning File CUP 22-05 Request for Conditional Use Permit located at 20771, 20783, 20795 and 20811 Hwy 62, Shady Cove, Oregon to allow outdoor storage in association with a tourism and recreational vehicle business. Owner/Applicant: SOWA/Jason Asbill. Continue Public Hearing 6:43pm.

1. No objection to jurisdiction question; no conflict of interest; no Ex Parte contact and all Commissioners had visited the site.
2. Staff provided overview of Criteria and recommendation in the staff report and staff memorandum.
3. Commission heard testimony from Applicant Jason Asbill. His intent or purpose for purchasing property was for parking.
4. Comments/testimony from proponents: Julie Barnes, Mary Pulcini, Micah Jimenez, Tim Gilman (HOA Rogue Riviera Estates), Hank Hohenstein, Terry Reece, Kevin Jackson
5. There was no opposition. Close hearing at 8:05pm

Commission deliberation: ODOT not supporting midblock crossing to an empty parcel; Pedestrian safety issue; Plans don't include height of fencing, landscaping, structure on property; How to accommodate pedestrian crossing; Gate access; Admired the energy and passion of the applicant; Commission shall follow City Ordinances; ODOT requirements; Safety issues must be addressed, City to avoid liability.

I move that the Planning Commission deny File CUP 22-05 because it fails to meet the criteria for approval of a conditional use permit, specifically: public safety

Motion: Commissioner Edwards
Motion Carried 5-0

Second: Commissioner Magill

V. PUBLIC COMMENT

Comments from Micah Jimenez, Hank Hohenstein, Heather Jurow and Sandra Barber.

VI. COMMISSIONER COMMENTS

Commissioner Edwards thanked everyone for coming. Commissioner Richardson noticed League of Oregon Cities is hosting Land Use Planning training on March 15th via Zoom and possibly have it at City Hall.

VII. ADJOURNMENT

There being no further business before the Commission, the Chair adjourned the meeting at 8:40PM.

Approved:

Attest:

Arthur Stirling
Planning Chair

Debby Jermain
Planning Technician

Commission Vote:

Chair Stirling _____
Commissioner Magill _____
Commissioner Willis _____
Commissioner Edwards _____
Commissioner Richardson _____

01/18/23 Through 02/28/23

Planning and Building Activities

YEAR	DATE	NAME	BUILDING PERMITS TYPE	ADDRESS	MAP	TAX LOT
23-04	1/18/23	RVSS	Encroachment Permit	124 Kathleen Terrace	09DA	504
23-05	1/25/23	Michael Ghiglieri	FP Fence Permit	22780 Hwy 62	10CA	2400
23-06	1/25/23	Gold River Properties	Replacement Deck	20400 Hwy 62	21D	410
23-07	2/1/23	Malepsy	Encroachment Permit	Schoolhouse Lane		
23-08	2/2/23	Steven Stratton	Interior Remodel	1018 Chevney	10CB	4100
23-09	2/6/23	Phillip Kincaid	New Duplexes	Erickson Ave	10CA	3700

PLANNING APPLICATIONS

Property Action Log	Name	Address	Comments due back	Staff report due back	Section/TL
Paid	2/16/2023 CUP 23-01	Chris Brown			21D 1338

FLOODPLAIN CLEARANCE FOR PERMIT