

**STAYTON PLANNING COMMISSION  
MEETING MINUTES**

**Monday, September 24, 2018**

**COMMISSIONERS:** Dixie Ellard  
Heidi Hazel  
Paige Hook  
Ralph Lewis, Chair

**STAFF MEMBERS:** Dan Fleishman – Planning & Development Director  
Lisa Meyer – Public Works Administrative Assistant

**OTHERS PRESENT:** Charles Clarkson, Ruth Clarkson, Brian Quigley, Rich Sebens, Dan Morgan, Richard Lewis, Eugene Jones, Bill Berman, Hank Porter

- 1. CALL TO ORDER:** Chair Lewis called the meeting to order at 7:00 p.m.
- 2. APPROVAL OF MINUTES:** Hazel moved and Ellard seconded to approve the minutes from August 27, 2018. Passed 3:0 (Hook abstained).
- 3. LAND USE FILE #17-08/18 –PUBLIC HEARING Application for partitioning, Charles R Clarkson, 580 W Maple St**
  - a. Commencement of Public Hearing-** Lewis read the opening statement and opened the hearing at 7:01 p.m. No objections were made from the audience to the notice in or the jurisdiction of the Commission to hear the case. There were no declarations of conflict of interest, *ex parte* contact or bias by members of the Planning Commission.
  - b. Staff Introduction-** Fleishman explained the application is for a two parcel partitioning of a property that currently has a single family house on it.
  - c. Applicant Presentation-** Charles Clarkson, 42455 Kingston Lyons Dr, Stayton, OR. As the executor of the estate for Eunice Clarkson, Clarkson is fulfilling his obligation to the settlement of the estate by partitioning the lot into two equal sizes. One lot has an existing house and the other lot is vacant with no plans for development.
  - d. Staff Report-** Fleishman noted that the Public Works Department suggested the final plat include a 10-foot public utility easement along W Maple St. It was also noted that the existing sidewalk does not meet the City’s current standards. Staff recommended three conditions of approval- 1) the final plat include a 10-foot wide public utility easement 2) replace the sidewalk on the easterly parcel in front of the existing house with a 5-foot sidewalk, and 3) file an agreement prior to the plat being recorded that the sidewalk will be replaced on the partitioned vacant lot once it is developed.
  - e. Questions from the Commission-** Hazel inquired about the utility easement. Fleishman explained that the City’s standard is to have a 10-foot public utility easement for the franchise utilities across the frontage of streets in partitionings and subdivisions. Fleishman is not aware of an existing utility easement for the street frontage.
  - f. Proponents’ Testimony-** None
  - g. Opponents Testimony-** None
  - h. Governmental Agencies-** None

- i. **General Testimony-** None
  - j. **Questions from the Public-** None
  - k. **Questions from the Commission-** None
  - l. **Applicant Summary-** The Applicant had nothing more to add.
  - m. **Staff Summary-** Fleishman had nothing more to add.
  - n. **Close of Hearing-** Lewis closed the hearing at 7:06 p.m.
  - o. **Commission Deliberation**
  - p. **Commission Decision-** Hazel moved and Hook seconded to approve the application and adopt the draft order as presented with the three conditions of approval. Passed 4:0.
4. **LAND USE FILE #18-08/18- PUBLIC HEARING Application for variance, Stayton Police Department, 386 N Third Ave**
- a. **Commencement of Public Hearing-** Lewis read the opening statement and opened the hearing at 7:08 p.m. No objections were made from the audience to the notice in or the jurisdiction of the Commission to hear the case. There were no declarations of conflict of interest, *ex parte* contact or bias by members of the Planning Commission.
  - b. **Staff Introduction-** Fleishman explained the current code allows for only one sign for each side of a building that faces a street. The Applicant is requesting to have more than one sign.
  - c. **Applicant Presentation-** Police Chief Rich Sebens, 386 N Third Ave, Stayton, explained that the building had two painted signs, one on the north side and one on west side of the building identifying the Police Department. The building was recently painted and since the requested signage is not exactly the same as what was previously in place, a variance is required. Sebens requested approval for a sign on the north side of the building so people can see the sign as they are heading south on N Third Ave. The code allows for two signs if the building is on a corner lot, and although the building is not on a corner, it acts as a corner since the Police Department parking lot is on the north side. Sebens noted that since it is a public safety building it's important to be visible for people in a time of crisis. This past spring the front door entry of the Police Department was spruced up and historical lettering was used for the entry to bring back the historical look. Sebens plans to replace the signage for the payment drop box and public restroom with the historical design. Sebens provided images of the proposed signs for the north and west side of the building. If approved, the sign in the front of the building could be up in a few weeks. The north side will have to wait until July 2019 to be purchased. The signs are metal and the lettering will be raised metal.
  - d. **Staff Report-** Fleishman received no comments from any of the reviewing agencies. The code establishes a number of criteria that applications for variances need to meet and Staff found that those criteria have been met. Staff recommended approval for variance.
  - e. **Questions from the Commission-** None
  - f. **Proponents' Testimony-** None
  - g. **Opponents Testimony-** None
  - h. **Governmental Agencies-** None

**i. General Testimony-** None

**j. Questions from the Public-** Dan Morgan, 2195 Cardinal Ave, Stayton, OR. Morgan inquired if there is a street light or spot light that will illuminate the signs. Chief advised that there is a light on top of the building that currently shines on the flag and it lights up the corner of the building as well. The street light will provide light to some degree to the sign on the north side of the building.

**k. Questions from the Commission-** None

**l. Applicant Summary-** None

**m. Staff Summary-** None

**n. Close of Hearing-** Lewis closed the hearing at 7:18 p.m.

**o. Commission Deliberation-** The Commissioners thought it was a nice improvement.

**p. Commission Decision-** Ellard moved and Hook seconded to approve the application and adopt the draft order as presented. Passed 4:0.

## **5. DISCUSSION OF POSSIBLE CODE AMENDMENT TO ALLOW RESIDENTIAL RECREATIONAL VEHICLE PARKS**

Fleishman explained that this issue was discussed at last month's meeting and the three Commissioners present requested to delay any decision in order to give the Commissioners not present an opportunity for input. Gene Jones is requesting the Commissioners to consider an amendment to create a residential RV park. It's essentially a mobile home or manufactured home park that would allow for RVs to be used as long term residences. The code currently defines recreational vehicles parks as commercial uses where people come for short durations. The code defines manufactured housing parks as long term residences and any unit moved into a mobile/manufactured home park needs to meet the design and construction standards applied to manufactured housing. Fleishman referred to the memorandum he provided which listed four options to consider. The current code allows for RV parks in an interchange development zone and in the agricultural/industrial zone. Fleishman has concerns about using RVs as a long term residence. The State has structural and life safety codes for residences and RVs do not necessarily meet those codes. Lewis offered the opportunity for Jones to add new information that wasn't already noted in last month's minutes.

Bill Berman 4490 Silverton Rd NE, Salem, OR 97305. Berman wanted to reemphasize that the State of Oregon moved RV parks under tenant landlord law. He understands that RVs do not meet the code for manufactured homes, but they are very sturdy vehicles and they function just fine. Berman and Jones are looking for guidance so they can determine if they should move forward with purchasing the property. Berman projected it will be a \$6-7 million dollar project to build the standard of park they are talking about.

Hook inquired how the age of the RV and inspection is going to be enforced. Berman thought inspection/enforcement could be part of the conditions of approval. Berman went over what he has learned since opening his RV park in 1992 and being more selective of the customers and evicting problem tenants. He thought enforcement from the City could be problematic and could be too nitpicky if singling out RVs that go over the 15 years age limit, while already renting space in the proposed park.

Ellard inquired if renters stay year round. Berman confirmed he has tenants that rent their space year round, but many leave their RV behind and go south. Berman's customers rent their space monthly. His RV park is located outside Salem's city limits, but is connected to Salem's City services.

Hazel is aware of a need, but not sure about the proposed location. Lewis noted that Berman's RV Park looks nothing like the picture portfolio that was provided at last month's meeting. The Interchange Development Zone requires an exit within 1,500 ft and Lewis believed the Fern Ridge exit would meet that requirement if the proposed location is developed. Hook suggested the possibility of creating a new zone and having protections for tenants including restricting future use of the property. Fleishman believed the City has the authority to provide additional protections to tenants and suggested the regulations be a part of another Title of the code, not in the Land Use code. Fleishman confirmed that restrictions on how the land is going to be developed could be included in the Land Use code. The Commissioners requested Fleishman to research the code and come back with options.

Hank Porter, 985 N Fourth Ave, Stayton, OR. Porter noted that he checked out two RV Parks located on Silverton Road in Salem – the Phoenix RV Park near Lancaster Drive and Salem RV Park near 45<sup>th</sup> Avenue. The two are quite a contrast. The Phoenix is very much like the brochures Jones provided last month. The motorhomes are \$300,000-\$400,000. It's quite a contrast from the Salem RV Park that Jones owns. Porter foresees problems if Stayton allowed an RV Park similar to Salem RV Park.

Berman is not proposing to develop a park like Salem RV Park. He goes out of his way to work with the elderly and those on disability at his current park. The park he is proposing for Stayton is a higher income bracket similar to Hee Hee Illahee in Salem, OR. The minimum width for the proposed park is 35 feet wide versus 25 feet at Salem RV Park. Berman inquired if the City allowed limited use overlays with zoning. Fleishman confirmed an overlay zone is not an option.

**6. OTHER BUSINESS-** None

**7. ADJOURN-** Lewis adjourned the meeting at 8:00 p.m.