

City of Talent
Planning Commission Meeting Minutes
Talent Community Center
206 East Main St. Talent, Oregon
April 25, 2013

I. Call to Order/Roll Call

Members Present:

Commissioner Heesacker
Commissioner McDonald-Gibson
Commissioner Moody
Commissioner Walker

Members Absent:

Commissioner Wise
Commissioner Schmidt

Also Present:

Diane Glendenning, Council Liaison
Mark Knox, City Planner
Betsy Manuel, Minute Taker
David Maynard, Community Development Assistant

II. Election of Officers:

Planner Knox noted that past Chair Wise, while not present at this time, would be willing to consider acting as Chair for 2013.

Commissioner Moody moved to appoint Commissioner Wise as Chair. Commissioner Heesacker seconded and the motion carried.

Commissioner Moody indicated his willingness to serve as Vice-Chair.

Commissioner Heesacker moved to appoint Commissioner Moody as Vice-Chair. Commissioner Walker seconded and the motion carried.

III. Brief Announcements:

There were none.

IV. Consideration of the Minutes dated 2-28-13:

Commissioner Heesacker moved to approve the minutes as presented. Commissioner Moody seconded and the motion carried.

V. Public Comments on Non-Agenda Items:

Commissioner Walker inquired about information regarding Mountain View paving. He noted that there had been publicity regarding the paving business. He stated that he was

aware that the authority for approval of the project was Jackson County, but that he was interested in how the City of Talent affects the process.

Planner Knox noted that Jackson County had approved the land use for the project with conditions. He stated that although the property was in Talent's Urban Growth boundary, the County had jurisdiction.

Knox stated that Talent's City Council had directed staff to appeal the decision. This action was submitted on the 8th of April 2013. The applicant had since requested a 90 day continuation to explore mitigation alternatives. Knox indicated that mitigations under advisement included limited production hours, re-locating business activity further from the flood way, accelerating the required sunset of the business, and others.

Knox noted that the City Council would hold a Public Meeting regarding the proposed land use, allowing time for neighbors to comment and further consideration of the options. Knox stated that the City would be gathering commentary from various regulatory bodies, such as the DEQ and other environmental agencies.

Knox stated that direction from the Council could range from continuation of the appeal, to withdrawal of the appeal. Other possible options, could be to find in favor of the mitigation plan, or to pursue the appeal by partnering with the Rogue Advocacy group. He stated that the Council would decide whether the mitigation plan is acceptable to Talent. He noted that a cost/benefit analysis would be part of the decision-making.

Knox emphasized that the agreement between Jackson County and the City of Talent provided direction regarding coordinating outcomes for infrastructure improvements, or other land uses when there are joint impacts of concern. Knox stated that the County had the final jurisdictional authority in the event of a dispute. The appeal process initiated by the City provides the City with an appropriate venue for airing Talent's concerns.

In response to a question from Commissioner Heesacker, Knox stated that the property was in Talent's UGB rather than within the City limits, and the property was surrounded by City, County, and State public lands.

With regard to an early sunset for the business, the suggested timeframe for operating the business would be approximately 12 years. Once operations have been concluded, the City would purchase the property and renovate for use as open space. Consideration for doing so would include a requirement to meet Talent's codes and standards.

In response to a question by Walker, Knox said that further information could be requested from the Planning Department and through Council minutes for May 15th. The proposed mitigation plan, once approved would be accessible online.

Moody inquired about oversight of the project, in particular when it comes to meeting the conditions agreed upon. Knox stated that each jurisdiction (City of Talent, and Jackson County) would share oversight, with Jackson County responsible for certification of completion over specific conditions, and Talent responsible for certification of completion regarding conditions initiated by the City.

VI Public Hearing (continued from 2-28-13), Consideration of amendments to the City of Talent's Zoning Code, Title 8, Chapter 3, Division G, Section 160 (8-3G.160).

The opening statement was read. No comments were received by any applicable agencies. The chapter in the Zoning Code subject to amendment would be a textual changes to the Communication Transmission Facilities.

Acting Chair Moody noted that the Hearing was not *continued from* February 28th; rather, it was a *re-opening* of the Public Hearing held on February 28, 2013.

Staff Report: Assistant planner Maynard detailed changes to the text for Sections 8-3G.160 B.6; 8-3G.160C Table G.160; 8-3G.160 D1d., and 8-3G.160 D.2.g. He noted that the tables were updated for consistency. Maynard described the detailed changes. *

Maynard stated that Commissioner Wise suggested a change to the wording "grace period" to "allowed period". Moody recommended that the terminology be consistent with references elsewhere in the code.

The Public Hearing was closed.

Commissioner Heesacker moved to recommend to the Council, the amendments to Talent's Wireless Communication Facilities Ordinance. Commissioner Walker seconded and the motion carried.

VII. Southern Oregon Legal Issues Workshop

Planner Knox noted that the Commissioners were invited to a Legal Issues Workshop to be held in the Rogue Valley on May 3, 2013. He stated that workshops were always helpful, and that he would be attending as well as Commissioner McDonald-Gibson. For those unable to attend, a report would be made at the next regularly scheduled Planning Commission meeting.

VIII. Commissioner's Open Discussion

Commissioner Moody noted that he would step away from any official discussions regarding the Mountain View paving project to avoid the appearance of a conflict of interest.

Knox noted that the Planning Commission would not be reviewing the application: as the matter is considered by the City Council who would conduct a Public Hearing. He stated that Commissioners could come before the Council at that time as private citizens, and he encouraged those present to make their concerns known.

IX. Next Meeting

Acting Chair Moody noted that the next regularly scheduled meeting would be held on May 23, 2013. There being no further business to come before the Commission, the meeting was adjourned at 7:10 P.M. to be reopened at 7:15P.M.as a public workshop.

X. Public Workshop

Acting Chair Moody opened the Public Workshop at 7:15 P.M. Planner Knox explained that the meeting was a forum for all interested parties to ask questions, and begin to become acquainted with the process of annexation of properties under County jurisdiction along Highway 99.

He noted that the affected properties were those surrounded by City of Talent lands. Knox talked about the difficulties of administering urban services for properties that could be construed to be within the City of Talent, but were technically considered within the County. He stated that boundary confusions sometimes resulted in errors that impacted financial outlays for both the City and/or private parties, particularly with regard to the delivery of water services.

Knox stated that it was appropriate to integrate these County properties so that City services could be extended to the property owners. Once annexed, the City could plan for infrastructure improvements and any other service related betterments.

Knox noted that the City of Talent would defray the cost of annexation, but that other services, such as hookup to the Talent domestic water system would not be waived. Knox highlighted the fact that property owners were not required to hook up to City water at annexation and property owners could retain their existing water supply should they choose too.

Knox related the example of a commercial property that was outside of Talent's jurisdiction, whose owners discovered that planned improvements would be contingent upon meeting County's standards for water supply. Talent was unable to provide the service because the property was not within City limits. The developer experienced delays and cost overruns, because he had to stop work and submit an application for annexation. A city initiated annexation, on the other hand, would have been helpful in this case. Once the annexation was completed, the property owner was able to establish multiple business's on the site.

Knox talked about the cost to annex from application fees to surveys, stating that the costs involved to complete the process would typically be between \$1000 up to \$20000 or more, depending on the use. He stressed that the City would defray the expenses, with the exception of water hook-up.

Planner Knox stated that in his opinion, there were few reasons against annexation. He stated that some county standards were different such as allowance for 15 foot signage versus Talent requirement for 10 ft. signage, but that was the only difference that he was aware of that was significant. Knox noted that taxes and assessments would change, but not notably, unless the property was further developed with over \$10000 in improvements.

Commissioner Heesacker asked about the differences between the County Sheriff's assessment and the City of Talent's police assessment. Heesacker commented that taxes could increase with annexation.

Acting Chair Moody called Ms. Kathleen M. Corbin of 1007 South Pacific Highway, Talent forward.

Ms. Corbin stated that she owned two properties, at 100 7, and 887 along the highway. She noted that she was not in favor of annexation for her properties. She commented that the wells on her properties were sufficient –and that there had no well issues for the past 70 years. In addition, there were no sewer concerns..

Ms. Corbin listed an increase in taxes as a major impediment to annexation. She expressed a concern about meeting City codes – particularly with regard to criteria for wood stoves and other code enforcements.

Mr. Jim Walker of 301 and 302 South Pacific Highway, Talent, was called forward. He inquired about the possibilities for curbs and gutters. Knox replied that those types of infrastructure were separate from the annexation. He reported that the City of Talent was working with the Oregon Department of Transportation on a plan to add those amenities with a proposed timeline of 2016. He stated that any improvements were the joint responsibility of ODOT and the City of Talent, and were not related to annexation.

Mr. Walker indicated that he was in favor of annexation for his properties and inquired about the timelines. Knox replied that the process required sufficient time for public comment and a Council Public Hearing as well as other procedural details. He estimated completion of the process within 60 to 90 days. Knox also noted that the City Council could decide to annex the lands without permission from property owners if they deem it necessary for the good of the people of Talent. He added that annexation would be most beneficial for property owners who wish to sell or improve their properties.

Rick Kozol of 609 South Pacific Highway, Talent was called forward. He asked whether hook-up fees would be charged at the time of annexation if the property owner requested the service. Knox replied that the hook-up fees would be assessed regardless of the timeframe. In response to another question by Mr. Kozol, he noted that the existing signage would be grandfathered in and would not be required to meet City standards.

Mr. Kozol asked about the differences in costs would be in changing from the County's protective services to the City of Talent's police services. It was agreed that an attempt would be made to quantify those costs based on the assessed value of each property.

Commissioner Moody suggested that research should be done to see if the existing wells could be used for irrigation purposes, thereby cutting consumption and fees for domestic water through the City of Talent.

Commissioner Heesacker clarified that the cost for this annexation would be absorbed by the City, but that any future requests to annex separately from this application would require a financial outlay by the property owner. Knox cited examples of fees paid by property owners if they request annexation at a later date. These could include survey fees, application fees, legal fees, and others depending upon the use.


There being no further business – the meeting was adjourned.


*details are available at City Hall.

Submitted by: 

Date: 8/23/13

Attest:


Mark Knox, City Planner


Acting Chair Moody