

**CITY OF JEFFERSON**  
Planning Commission Meeting  
Type D Public Hearing DCA 2020-02  
Type C Public Hearing Zone Change 362 S. Main St.  
December 17, 2020  
Via Zoom 3:30 pm

**COMMISSIONERS PRESENT:** Ron Gilles, Dave Jones, Jacquelyn Deeds, Bruce Forbes, Edie O'Neil  
**COMMISSIONERS ABSENT:** Rodrigo Arellano, Joseph Moore  
**COUNCIL PRESENT:** David Watkins  
**STAFF PRESENT:** Dan Lawler, City Attorney, Amy Dixon, COG Planner, Kiel Jenkins, COG Planner, Deanna Donato, Sarah Cook.  
**VISITORS:** Rod Beckner, Nancy Hamby, Matthew Conser, Jim Conser

- I. **Call to Order:** Ron Gilles called the meeting to order at 3:30 pm.
  
- II. **New Business: DCA 2020-02-Parks-Amendments (Type D Process)**
  - 2.1 **A. Open Public Hearing:** Ron opened the public hearing at 3:32 pm and proceeded to read the Type D declarations. He then turns the meeting over to Dan Lawler.
    - B. Background & Summary Staff Report:** Attorney Dan Lawler introduced himself and then proceeded with a summary of the proposal and some background on what the amendments would do and how it would affect the City's Comprehensive Plan and Development Code. He covered when notices were sent and the procedures for the type D legislative amendments. Dan stated that the proposed ordinance 718 would amend the Comprehensive Plan because this park plan did not become part of the comp plan in 2008 when it was created. There was discussion on how SDC funding for parks is deficient by about 1 million in order to meet park needs. This amendment would require 7% park land acreage for any new subdivisions that would or could be built in Jefferson. Ron asked if subdivisions were the only time parks were required to be built and Dan said yes. Dan stated that the 7% is what Jefferson uses; some cities don't have a percentage which allows the Planning Commission and Council more flexibility on individual cases. He also stated Jefferson could raise the percentage, lower it or have none as all are acceptable. Ron then asked if the land dedicated to parks would then be City owned and Dan stated that was correct. Dan then went over the criteria needed for approval of legislative amendments. Dan concluded that the proposed amendments to the City's Comprehensive Plan and Development Code comply with the applicable decision criteria for Type D legislative amendments and he recommended that the Planning

Commission approve the proposed amendments to go to Council. He then asked if the Commission had any questions.

**C. Public Testimony & Commissioner Comments:** Ron asked if Planning passed this with no designated percentage, then who would determine the amount. Dan stated that Planning could recommend an amount on a case-by-case basis, but the final decision would come from Council. Edie O'Neil commented that the City is growing fast and believed this to be a necessary change. Amy Dixon let the Planning Commission know that once the subdivision is approved, the Commission would then be holding up development if they were to leave this discussion open ended. Ron wanted to leave it open until the next meeting. Edie stated no, Planning should not hold up development. Dan also warned them that a case-by-case situation could cause the "not fair" rule and he suggested they choose a rate to make it fair for all. Jacquelyn Deeds asked if a developer were to request a reduced percentage could it go to Council with less than the set amount. Dan said it would all depend on the language drafted in the ordinance, but it could happen. Jacquelyn also asked if the developer could do acreage and money and Dan said yes. Both Edie and Ron think that would be acceptable. Visitor, Nancy Hamby then asked if this would be for all residential zoned properties. Dan said yes and possibly mixed use as well. Nancy then requested Buildable Lands Inventory document. Ron then asked if building 4 apartments on a lot is considered a sub-division? Amy Dixon stated a subdivision is 4 or more lots and a minor partition is only 3 lots. Visitor Rod Beckner thought that the ordinance should be based on people not the number of units as people need the parks not the units. Rod also stated he felt as if this was encouraging more dense areas. Dan said that is often a side effect. Rod then wanted to know the difference between public vs. private parks. Dan said that private parks are not included in City inventory; so, the apartment complexes that put play areas in for those tenants are ONLY for those people within that complex so there is a difference. There was some general discussion on options that the attorney could write into the ordinance. Ron wanted a continuation of the hearing and asked the commission by consensus if they thought that would be wise so they could see some of the options drafted. All agreed. Jacquelyn moved to hold this hearing over to next meeting in January and Bruce Forbes seconded. All were in favor.

**D. Close Public Hearing:** Ron closed the hearing at 4:24 pm. Jacquelyn moved to hold the meeting over until the January meeting for a decision to be made and Bruce Forbes seconded. All were in favor. Deanna asked if there were any other questions for Dan and hearing none, Dan left the meeting at 4:26 pm.

## **2.2 Application: Zone Change for 362 S Main St.**

**A.** Ron opened the application review at 4:28 pm and proceeded to read the Type C declaration. Jacquelyn Deeds did declare that she does

know Jim Conser and his wife, but that she has had no contact with them in connection to this application. Ron then turned meeting over to Kiel Jenkins.

**B. Background & Summary Staff Report:** Kiel introduces himself, and states this application is from J. Conser & Sons, LLC. They are requesting a four-parcel zone change from Residential Medium Density (R2) to Residential High Density (R3). Only the R-2 zones of the property will be considered for the change as this property also has agricultural zones and those will remain unchanged. Kiel continues to inform the commission about the criteria needed for a zoning map change. Kiel also listed some of the statewide planning goals as well. He also entered into the record a letter of support that had been submitted jointly by the Fair Housing Council of Oregon and the Housing Land Advocate. Kiel finished up his report by stating based on his findings he recommends the Planning Commission approve to move this to Council.

**C. Public Testimony & Commissioner Comments:** Ron asked if there were any comments from the City engineer and Amy replied that there were none submitted. Jacquelyn stated she was confused on what they would be doing and Kiel reminded that this was for a zone change only and that plans would come back at a later date. Ron stated he had a problem with going from R-2 to R-3 as this would give them the potential to build a three-story building since that is what R-3 allows. Kiel again states this is something that could be discussed at later time with the applicant. Ron then goes into great detail about the history of that property and how he wanted it to become riverfront property as it would be ideal for the town. Council liaison, David Watkins asked Ron if he was asking about the Mill St. property and Ron stated he was not happy about that purchase, and continues with his history. Bruce Forbes asked were the differences between R-1, R-2, and R-3 to which Kiel responded that page 6 of the staff report shows some examples. Applicant Matthew Conser then asked to speak. He said that he and the Conser family agree with the staff report and want to see the zone change go through in order to improve housing in Jefferson. Matthew went on to read a prepared statement from the family about how they have been working with a project engineer and a traffic engineer to make sure that whatever they plan for will be a smooth transition for the town. He asks the Commission to approve this and move it on to Council for their approval. Ron asked him when is he planning to bring site plan review in and Matthew stated it all depends on when and if we get through this process first. Edie O'Neil said she believes it goes along with the Affordable Housing Act and see no reason to deny it.

**D. Close Hearing:** Hearing no other comments, Ron closed the hearing at 4:59 pm.

**E. Recommendation/Decision:** Edie moved to approve the staff report as written and recommend the City Council approve the proposed amendments as shown. Dave Jones seconded. Edie, Dave, Bruce, and Jacquelyn all voted to approve and Ron voted against. Motion passed with a 4-1 vote.

**III. Old Business: Approval of December 3, 2020 minutes:** Dave Jones moved to approve the minutes as written and Jacquelyn seconded. All were in favor.

**IV. Visitors:** none


**V. Commissioner Questions & Comments:** Deanna asked the Commission for a consensus about having Rodrigo Arellano removed as he has not been responding to emails or phone calls and has missed the last three consecutive meetings and meetings before that as well. She also said that as long as he continues to remain on the commission and not attend it makes have a quorum difficult should any of the other Commissioners need to be gone. Some discussion between commission members and the consensus was that Deanna was to prepare a memo to go before Council in January.

**VI. Adjournment:** Edie moved to adjourn and Jacquelyn seconded. All were in favor and the meeting ended at 5:15 pm.

MINUTES APPROVED THIS 21 DAY OF January 2021.

  
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RON GILLES, CHAIR

**ATTEST:**

  
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Deanna Donato, Deputy City Recorder