

PLANNING COMMISSION MINUTES
MARCH 7, 2023
6:00 PM

Present: Dustin Bridge, Edie O'Neil, Walt Perry, Jacquelyn Deeds

Absent: David Jones, Erica Curry

Zoom: None

Council Liaison: Charles Vickery

Staff: Deanna Donato, Scott Whyte, MWVCOG Planner

1. **Call to Order:** Edie O'Neil called the meeting to order at 6:02 PM and turned the meeting over to Scott.
2. **Development Code Update Revisions:** Scott gave a re-cap of the last meeting before going into the updates. Scott said he had spoken with DLCD about the proposed changes that the Commission had asked about. According to DLCD, a local government can increase minimum lot sizes for detached single-family dwellings generally, but there are several restrictions in state law that would make it challenging, expensive, and legally risky. Scott listed out the top 3 reasons given as
 - A. Goal 10/ORS 197A.270:** Under State law, a city must demonstrate that they provide sufficient buildable lands to accommodate 20 years of project growth. When a city proposes a comprehensive plan amendment that would reduce the capacity of buildable lands to accommodate housing, they must demonstrate that the amendment does not create a deficit of lands.
 - B. Measure 56:** Any zoning code change that limits/prohibits land use must mail notice to all affected property owners. Only applies to new restrictions that a local government adopts, including increases in minimum lot sizes.
 - C. Measure 49:** If a local government enacts a land use regulation that restricts a residential use, a property owner may submit a claim for compensation from that government, where they can demonstrate the regulation creates a reduction in fair market value. This would be especially pertinent to lots less than 7,000 sq ft, which would all become nonconforming through such a zoning code change.

Scott also noted that the City has not conducted a Housing Capacity Analysis (HCA) in 20+ years and the State is not recommending doing so at this time due to upcoming changes.

Scott stated he had not changed anything from the last meeting due to the 3 reasons that were listed and no public hearing scheduled at this time. He asked the Commission if they understood what he had presented and were ready to move to a hearing or was more clarification needed. General discussion between the Commission on the pros and cons and the consensus was that it wasn't feasible for the City to change anything and it does not meet Goal 10. Therefore, they directed the planner to move forward with the hearing. Scott asked Deanna when the hearing would be, and Deanna stated if all notices were done by the next day, the 35-day notice to DLCD could be met with a few days to spare. If he was not going to be able to get the notice out by the next day, the meeting could be moved to May. Scott stated the notice would be ready the next day and hearing was set for April 18th at 6 pm.

3. Resignation of Commissioner: Edie read the notice from Walt Perry that he would be resigning from the Commission effective March 7, 2023. The Commission accepted the resignation, and since Council was already aware of this it would not need to go to Council.

4. Visitors: No comments

5. Commission/Staff Comments: Edie asked about the rules for the Council Liaison being included in the discussion. She wanted to make sure there would be no conflict. Deanna stated she would verify with Sarah.

6. Adjournment: Jacqueln moved to adjourn and Walt seconded. All were in favor and meeting ended at 6:40 pm.

MINUTES APPROVED THIS 18 **DAY OF** April, 2024.



Edie O'Neil, Chair



Deanna Donato, Deputy City Recorder