

STAYTON PLANNING COMMISSION MEETING MINUTES

Monday, August 27, 2018

COMMISSIONERS: Jackie Carmichael, Vice Chair
Heidi Hazel
Ralph Lewis, Chair

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

OTHERS PRESENT: Jennifer Martin, Wayne Berman, Mayor 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 Carmichael seconded to approve the minutes from July 30, 2018. Passed 3:0.
3. **LAND USE FILE #16-07/18 –PUBLIC HEARING Application for partitioning, Stayton Business Center, LLC, 1935 Wilco Rd**
 - 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 this case or the jurisdiction of this body 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 that the application is a simple partitioning of the southwest corner of Shaff Rd and Wilco Rd. The property is shown on the tax maps as three separate parcels, but there is no record that the three parcels were legally established. The Applicant is proposing to establish three parcels with different lot lines than what is shown on the tax map.
 - c. **Applicant Presentation-** Jennifer Martin, 2352 Tuscana Ave S, Salem OR. Martin is a commercial real estate broker and representing the property owner. The property was recently put up for auction with the option of dividing the parcel. A bid was accepted for one of the proposed partitions. The next step is to partition the parcel. The buyer of one of the proposed partitions has no development plans at this time.
 - d. **Staff Report-** Fleishman reported that any development proposed for this property would have to go through a site plan review process. Staff recommended approval as proposed without any requirements for public improvements. There is adequate water and sewer to serve future development. Frontage improvements would be required when the parcel gets developed. Staff recommended three conditions of approval. A recommendation that the final plat include cross access easements to give access to all three parcels from any of the three parcels and show a 10-foot wide public utility easement along all the frontages. Another condition is to recommend a Development Deferral Agreement that will bind future parcel owners to make frontage improvements.
 - e. **Questions from the Commission-** Lewis was curious about the different parcel sizes. Martin explained that the parcel was arbitrarily split into two and received a bid for the south portion. The remaining parcel to the north was split in half to give maximum flexibility for a lot line adjustment in the future. Martin wanted clarification on the access easement to the three lots. Fleishman explained the condition of approval as proposed recommends a shared access easement that would cover all three lots but not necessarily have one driveway. Assuming that it is all retail or restaurant, the easement would allow

vehicle access to each parcel once developed without having to go out on Wilco Rd and come back. The easement would need to be recorded either before or with the plat, and be referred to on the plat.

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 requested latitude with recording the access easement since she doesn't know what is going to happen to the properties at this time.

m. Staff Summary- Fleishman explained that the proposed order gives latitude with recording of the access easement.

n. Close of Hearing- Lewis closed the hearing at 7:12 p.m.

o. Commission Deliberation

p. Commission Decision- Hazel moved to approve the Partitioning Application with the proposed conditions, Carmichael seconded. Passed 3:0.

4. OTHER BUSINESS- DISCUSSION OF POSSIBLE CODE AMENDMENT TO ALLOW RESIDENTIAL RECREATIONAL VEHICLE PARKS

Fleishman referred to his memo provided in the packet along with a letter from Gene Jones. Jones would like to develop a resident RV park that's intended to be a primary residence for people, not transient accommodations. Jones is interested in property that is north of Fern Ridge Rd between Foothills Church and Boulders Mobile Home Park. The property is designated as Residential in the Comprehensive Plan and an RV park is not a permitted use in any residential zones. The City's code defines recreational vehicles as being designed for vacation or recreational purposes, not a permanent residence. Jones is looking at changes to the code that would allow him to proceed with his plan. Fleishman referred to his staff report that outlined four options. It may take a number of options to facilitate what Jones wants to do should the Planning Commission be interested in facilitating.

Fleishman had very serious concerns about allowing RVs to be used as residence. RVs aren't built to the same standards as manufactured housing and they are intended for short term occupancy. There are no structural requirements (roof, wind, floor, etc.) for RVs.

Wayne Berman, 4490 Silverton Rd, Salem, OR. Berman is Jones' son-in-law and spoke on Jones' behalf. Berman proposed a high-end RV park on the property. He provided the Commissioners with a picture portfolio of a higher-end type RV park.

Berman gave a breakdown of his customer base. 80% of his customers are older and retired and categorized them into three groups. The first group is considered snow birds. They are here spring and summer time and head south in the winter. Many of them rent a space year round, although they aren't here year round, they maintain both places. The second group is transitional. They sold their primary residence and purchased an RV. They love the ability to move around and stay in a nicer RV park. The last group is seniors who can't take care of a home and they want to live independently. They will stay in an RV park and later move to a care home. The younger folks are seasonal workers (farm & highway jobs) and college

students. Berman contracts with a company to screen all applicants. They look for violent behavior, criminal background, drug problems, and check the sexual offenders list.

Berman covered the facilities available on site- an office, small store, large activity room, swimming pool, small gymnasium, restrooms and shower facilities. The park runs monthly events- potluck dinners, bingo, crafts, card games. The RV Park uses their funds to support the effort of bringing people together to create a sense of community. All the sites are fully self-contained with power, water, sewer, cable TV, and garbage services. The park is maintained by park staff.

RV parks are mandated and controlled by the Oregon State Landlord Tenant Act. Living fulltime in a recreation vehicle is an alternative housing option that is inexpensive. Berman currently receives 10-15 calls a day from individuals who have to be turned away from the Salem RV Park due to no vacancy. He noted there is a tremendous need.

Berman noted there is a sticker that meets the national code on every RV that's manufactured in America. As far as structural integrity goes, Berman noted that RVs travel down the highway at 60-70 mph, cross railroad tracks, they are in Alaska, the Mohave Desert, and rainy Florida, and they do just fine. He noted the downside with an RV is the maintenance and upkeep. His park does not allow anything older than 15 years and the unit must be inspected before being allowed into the park. He estimates the project he's proposing will be in the \$6-7 million range including the frontage improvements, streets and the park itself. Once annexed, the development would bring a good tax base to City. The bulk of the customers are seniors who don't have children and need schools. Their income is brought here at a low cost. The Applicant is looking at charging \$450-\$500 to rent a space per month. Electricity would be an additional cost and the spaces would be sub-metered.

Fleishman asked Commissioners if there are any code amendments they would like initiated and he will come back next month with a draft to review. Once the Commissioners are comfortable with the proposed amendments, a date will be set for a public hearing.

The Commissioners discussed the amendments outlined in the staff report. All agree an RV park would meet a need in the community. Fleishman confirmed the land is currently not annexed into the City. Fleishman offered another option not listed in his staff report and that is to come up with a new zoning district. The Commissioners agree to table the issue and put it back on September's agenda when all five Commissioners are present.

Berman explained other City's do a Special Use Overlay that has a restrictive use. He recommended staff to talk to the Marion County Planning Department.

Martin suggested writing the code to allow for a certain number of acres for this type of use if the Commissioners decide to move forward.

Porter commented that he liked the picture portfolio handout that was provided and noted there is a housing need for seniors on a limited income.

5. OTHER BUSINESS- None

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