



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT PLANNING COMMISSION

17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

REGULAR MEETING MINUTES

July 17, 2012

1. CALL TO ORDER - 7:00 p.m.

Vice-Chairman Coupe called the regular meeting of the Eagle Point Planning Commission to order at 7:00 p.m.

Commissioners Present: Sharon Coupe, Steve Hunter, Diane Mihocko and Bernard Grossman.

Commissioners Absent: Suzi Collins and Kevin Walruff.

Staff Present: Henry Lawrence, City Administrator; Mike Upston, Principal Planner and Sara Miller, Planning Aide.

Guests: Dick Converse with Rogue Valley Council of Governments (RVCOG); and members of the press and public.

2. FLAG SALUTE.

Commissioner Grossman led the flag salute.

3. AUDIENCE QUESTIONS/COMMENTS (Items not on the agenda).

There were no questions or comments from audience members.

4. PUBLIC HEARING(S).

- 4.1 PA#12-06. Consideration of a recommendation to the City Council regarding adoption of a Regional Plan Comprehensive Plan Element, amendment of the Comprehensive Plan Map to include Urban Reserve Areas (URA), adoption of the Urban Reserve Management Agreement, and amendment of the Zoning Ordinance to include Agricultural Buffering Standards.

Applicant: City of Eagle Point

Vice-Chairman Coupe introduced the public hearing. She explained that in legislative hearings there are no issues of exparte contact because it is expected that the approval bodies will speak with members of the community to get opinions on the proposed legislation. She continued, asking that any conflicts of interest be declared by commission members. None were declared.

Vice-Chairman Coupe called for the staff report. Mike Upston, Principal Planner, gave a PowerPoint presentation outlining the history and timeline of the Regional Problem Solving (RPS) process titled "Adoption of a Regional Plan Element and Agricultural Buffering & Mitigation Standards" (Submission No.1). He reviewed the local cities currently involved in the RPS process: Ashland, Talent, Phoenix, Medford, Central Point and Eagle Point. Each city is in the process of adopting the Comprehensive Plan Element, amending their Comprehensive Plan, adopting the Urban Reserve Management Agreement and amending their Zoning Ordinance to include agricultural buffering standards. Once each city has completed the steps, the entire RPS process can move forward. He noted that the next public hearing for Eagle Point is expected to go before the City Council during their first meeting in August based on the recommendation of the Planning Commission. Mr. Upston showed the Urban Reserve Area Map and reviewed the Urban Reserve Areas EP-1A, EP-2, EP-3, and EP-4.

Dick Converse, RVCOG, presented the staff report and reviewed the Oregon Land Conservation and Development Commission (LCDC) recommendations that apply to all jurisdictions. He went on to review the proposed Regional Plan Element, Agricultural Buffering and Mitigation Standards and the Findings of Conformance with the Eagle Point Comprehensive Plan which were included in the commission packets. Mr. Converse noted that 1000 Friends of Oregon will be providing a letter to the City Council explaining that they are not in opposition to the expansion. They are supportive of the compromises that have taken place during the process.

Mr. Upston announced that the city has received four written comments from citizens in response to the public notice (Submission No. 2). He entered the comments into the public record and reviewed the document edits that were a result of the comments. He went on to review staff recommendations as outlined in the commission packet.

Vice-Chairman Coupe asked the timeline for the process. Mr. Converse explained that while there is not an established time limit, Jackson County is asking each city to have the process completed by the middle of August so that the staff report can be completed and submitted.

Vice-Chairman Coupe invited audience members to offer testimony on the matter.

Tom Sisul, P.O. Box 67, Eagle Point, approached the commission and explained that he owns 14 acres outside the city boundary on Highway 62. He noted that he has spoken to the commission before

regarding RPS and has submitted a letter with his comments regarding Agricultural Buffering and Mitigation Standards (included in Submission No. 2). Mr. Sisul expressed his concern about the Jackson County Agricultural Buffering Committee that is mentioned in the adopting ordinance. He feels that it would be overly burdensome to a land use applicant to have to go before a county committee for permission on property located in city jurisdiction. He believes that this step will interfere with state mandated land use approval deadlines. He also referenced Section 15.020(D)2e and explained that he believes that the city should have direct control over the buffer through a "Buffer Easement" that can be vacated when the buffer is no longer needed. He suggested that the city should maintain the buffer area and charge affected property owners a minimal amount to pay for the maintenance. Mr. Sisul also discussed the fence and hedge requirement in Section 15.030(E)1, and suggested that the default requirement be a six foot tall fence unless the adjoining agricultural landowners agree that fencing is not necessary.

Vice-Chairman Coupe thanked Mr. Sisul for his comments.

Mr. Converse noted that Mr. Sisul's letter was very well thought out with good suggestions. He explained that the Agricultural Task Force would be made up of people with experience in various fields such as farmers, ranchers, foresters, as well as various representatives of related state agencies, and county and city representatives. He explained that the task force will identify, develop and recommend mitigation measures to reduce impact on agricultural lands while also balancing the need for development near city boundaries. He explained that the state does have a requirement that land use applications be decided upon within 120 days of being declared complete, and all involved agencies will be sensitive to the deadlines.

Bunny Lincoln, P.O. Box 75, Eagle Point, approached the commission and explained that she has been involved in the RPS process for many years. She reviewed the history of the RPS process and the involvement that she and other staff members had in the process. She explained that all of the urban reserve areas have gone through many years of assessment. She noted that there has been quite a bit of discussion regarding exclusive farm use (EFU) land locally, and it appears that land labeled as EFU is actually not useful farm land. She further added that EP-1A can only be used as industrial land. She noted that the current Comprehensive Plan was adopted in 1978, and typically plans are only intended to last for 20 years. Ms. Lincoln reviewed the benefits of involvement in the RPS process, including a blueprint for growth that can be followed, as well as guidelines that will not change every couple of years. She went on to explain that Eagle Point currently has an Agricultural Buffering Agreement with Jackson County that is incorporated into development conditions for each new development adjacent to the Urban Growth Boundary. She expressed her support for the RPS process and feels that it greatly benefits Eagle Point.

Vice-Chairman Coupe thanked Ms. Lincoln for her comments and her contributions to the process.

Vice-Chairman Coupe asked about the email from Kevin Goodrich (included in Submission No. 2). Mr. Converse explained that Mr. Goodrich is referencing the Minority Report written by Jackson County Planning Commissioners who did not agree with the majority vote. Vice-Chairman Coupe also asked about the letter from Diane Shockey (included in Submission No. 2). Mr. Upston noted that he spoke with Ms. Shockey and explained that a detailed environmental analysis will be done as lands are brought in to the city limits, and she will be sent a public notice when development is proposed.

No additional agency comments were noted. Mr. Upston reiterated that 1000 Friends of Oregon has said they will submit comments to the City Council.

Vice-Chairman Coupe called for a motion to continue or close the hearing. Commissioner Hunter moved that the hearing be closed. Commissioner Grossman seconded the motion. There was no further discussion. Roll call: Steve Hunter, aye; Sharon Coupe, aye; Diane Mihocko, aye; Bernard Grossman, aye. The motion passed unanimously.

Vice-Chairman Coupe called for a motion on the proposed legislation.

Commissioner Grossman moved that the Planning Commission recommend that the City Council approve the adoption of the Regional Plan Comprehensive Plan Element as a new chapter in the Comprehensive Plan, the Amendment of the Comprehensive Plan Map to include urban areas, the adoption of Agricultural Buffering and Mitigation Standards as a new article in the Zoning Ordinance along with the updates to the Zoning Ordinance. Commissioner Mihocko seconded the motion. There was no further discussion. Roll call: Steve Hunter, aye; Bernard Grossman, aye; Diane Mihocko, aye; Sharon Coupe, aye. The motion passed unanimously.

5. CONSENT CALENDAR.

5.1 Presentation of Regular Meeting Minutes of June 19, 2012.

Vice-Chairman Coupe called for a motion on the Consent Calendar. Vice-Chairman Coupe moved that the Consent Calendar be approved. Commissioner Mihocko seconded the motion. There was no further discussion. Roll call: Sharon Coupe, aye; Diane Mihocko, aye; Bernard Grossman, aye; Steve Hunter, aye. The motion passed unanimously.

6. CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR.

There were no items removed from the Consent Calendar.

7. UNFINISHED BUSINESS.

There was no unfinished business brought before the commission.

8. NEW BUSINESS.

There was no new business brought before the commission.

9. REPORTS FROM PLANNING COMMISSION MEMBERS.

There were no reports given by commissioners.

10. REPORTS FROM STAFF.

There were no reports given by staff.

11. INFORMATION.

There was no additional information brought before the commission.

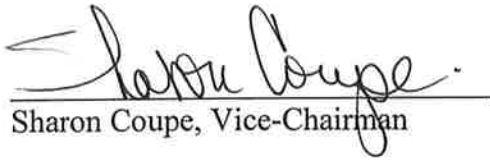
12. ADJOURN.

There was no further business to come before the Planning Commission and Vice-Chairman Coupe adjourned the meeting at 8:20 p.m.

Respectfully submitted,



Sara Miller, Planning Aide

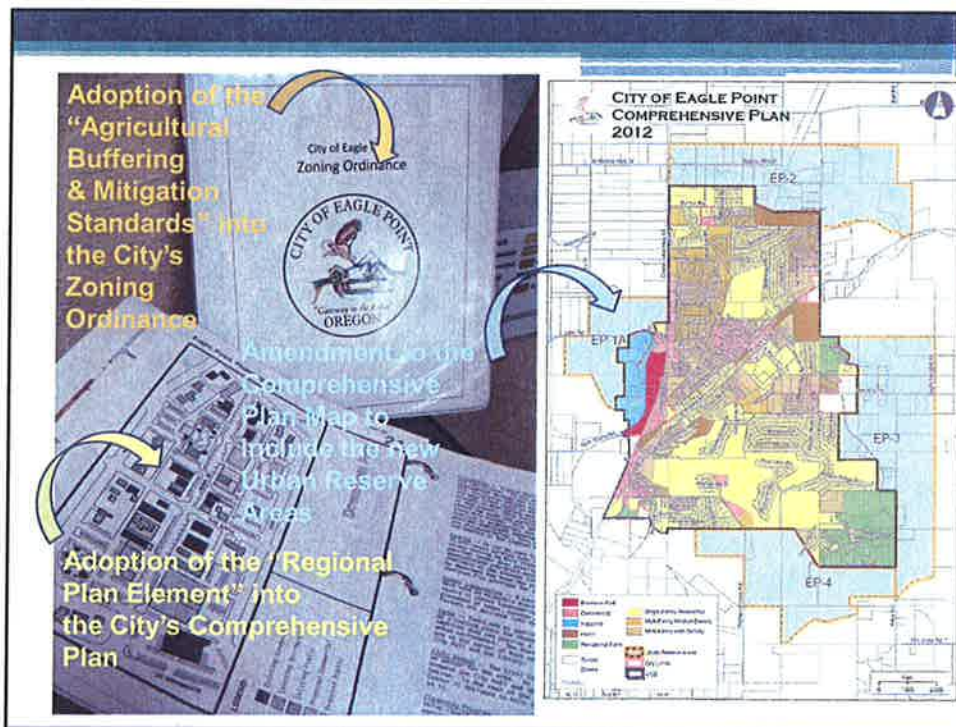


Sharon Coupe, Vice-Chairman

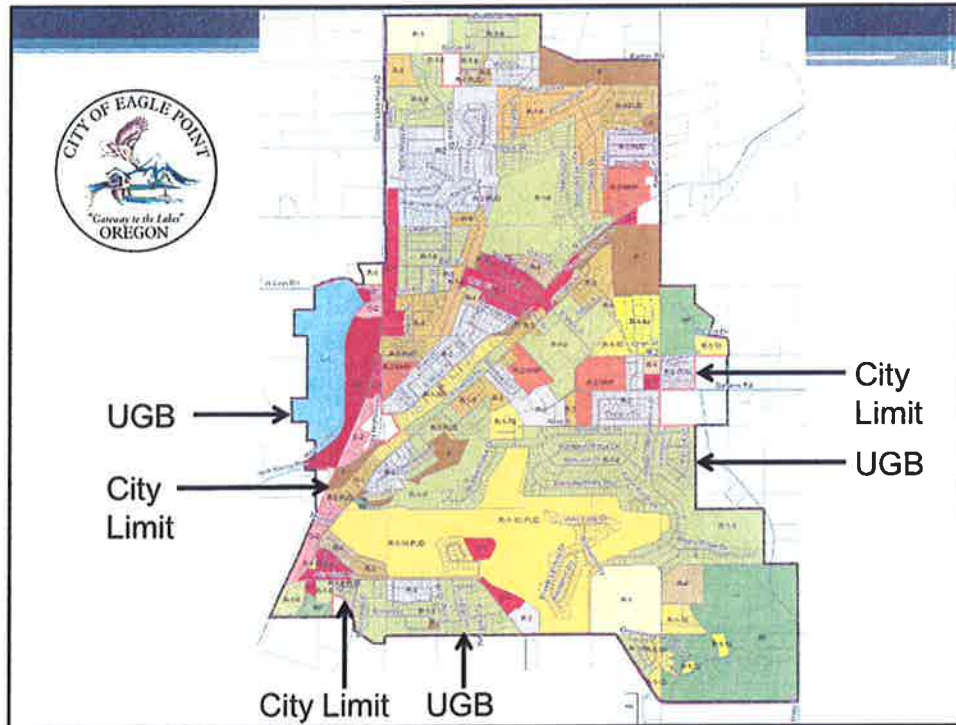
Adoption of a Regional Plan Element and Agricultural Buffering & Mitigation Standards



Planning Commission Meeting
July 17, 2012

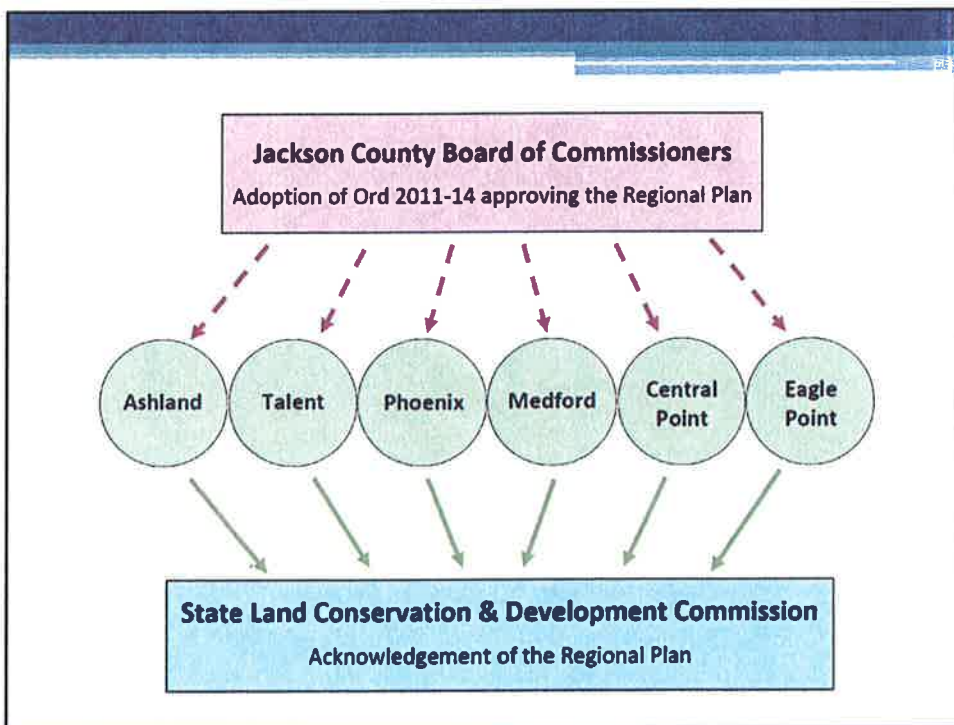
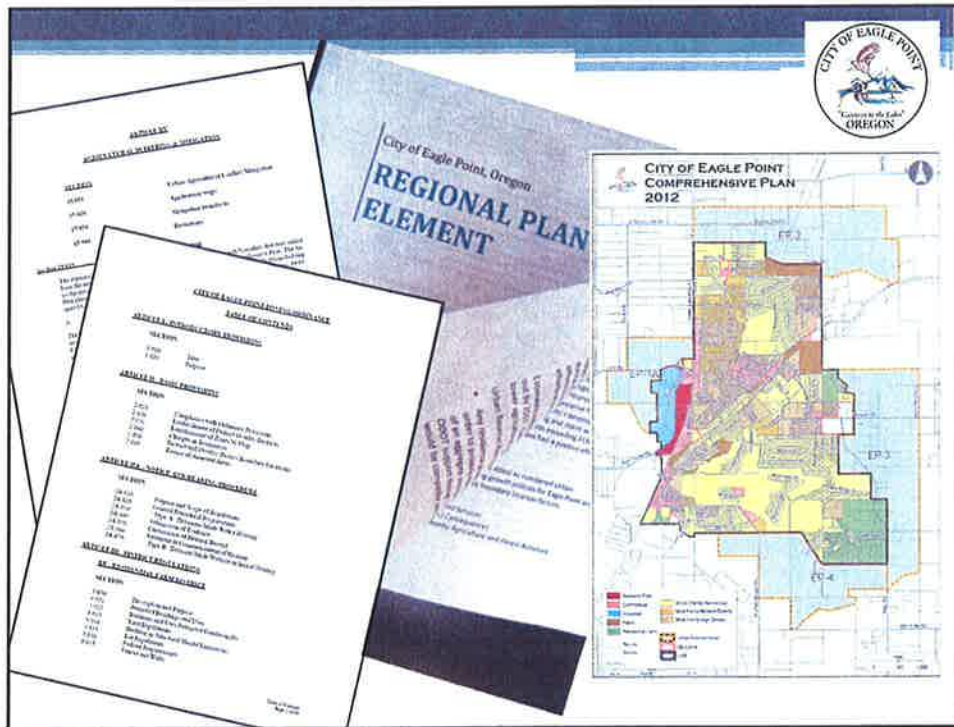


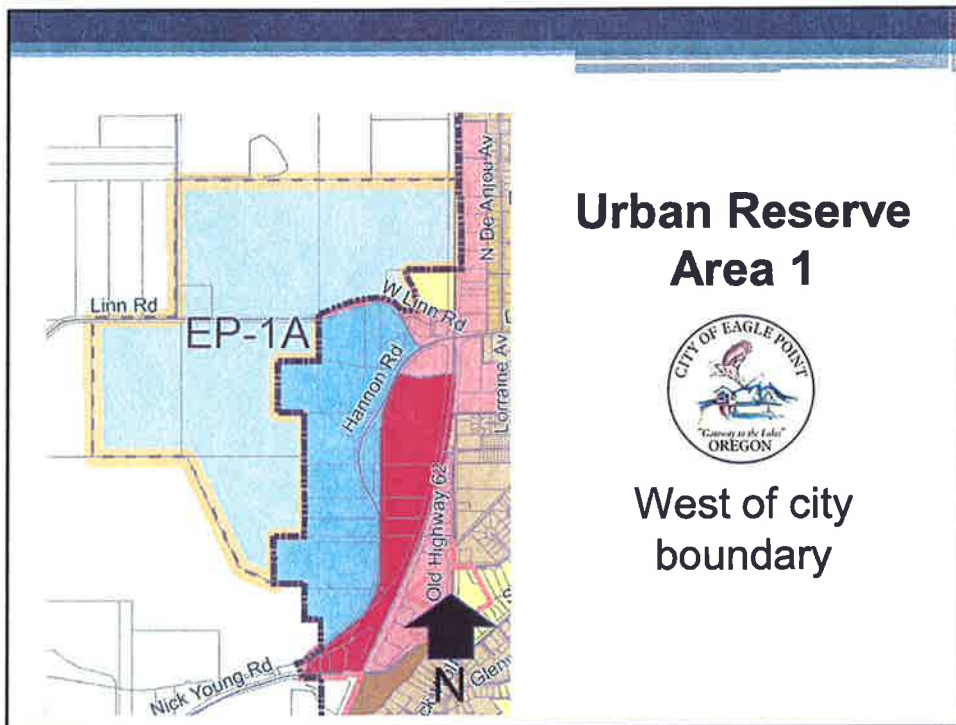
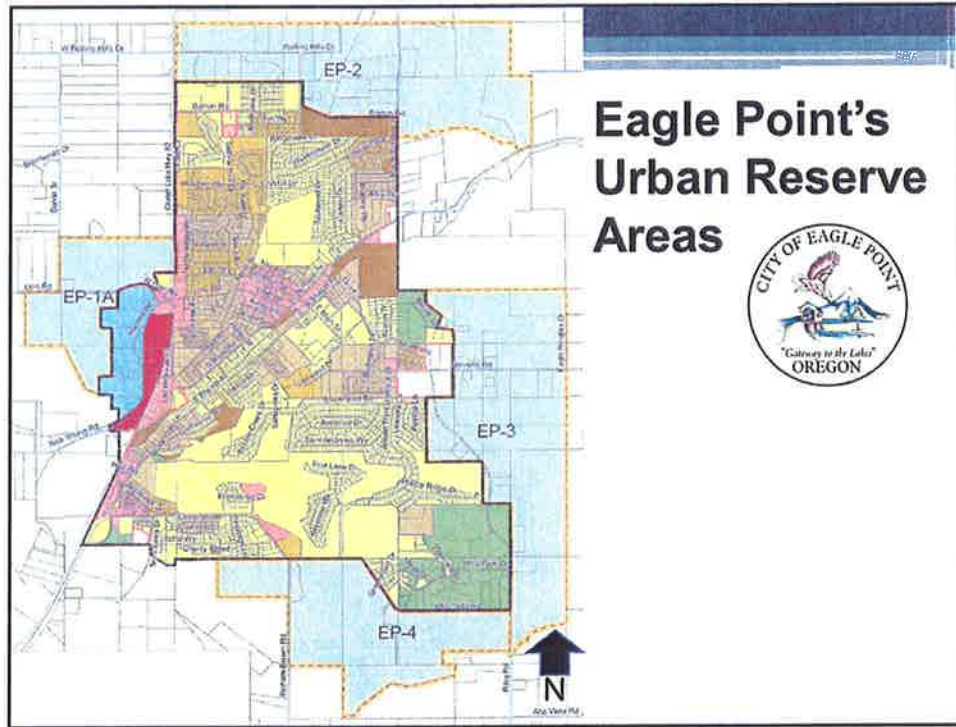
**Planning Commission Meeting,
July 17, 2012**
Submission No. 1
Submitted by: Mike Upston



Urban Reserve Area Planning for the Greater Bear Creek Valley: [Timeline](#)

- 1992 **"Urban Reserve" requirement adopted by State**
- 1995 **"Our Region" established**
- 1996 **"Collaborative Regional Problem Solving" established**
- 1998 **"Multi-Jurisdictional Committee on Urban Reserves" created**
- 1999 Urban reserve workplan established
- 2000 Regional Problem Solving grant awarded
- 2000 – 09 Regional Problem Solving process
- 2010 Urban Reserve Area adoption process begins
- 2011 Jackson County adopts *Regional Plan*
- 2012 **Anticipated establishment of new urban reserve areas by all cities and State acknowledgement**





Urban Reserve Area 2



North of city boundary

Urban Reserve Area 3



East of city boundary

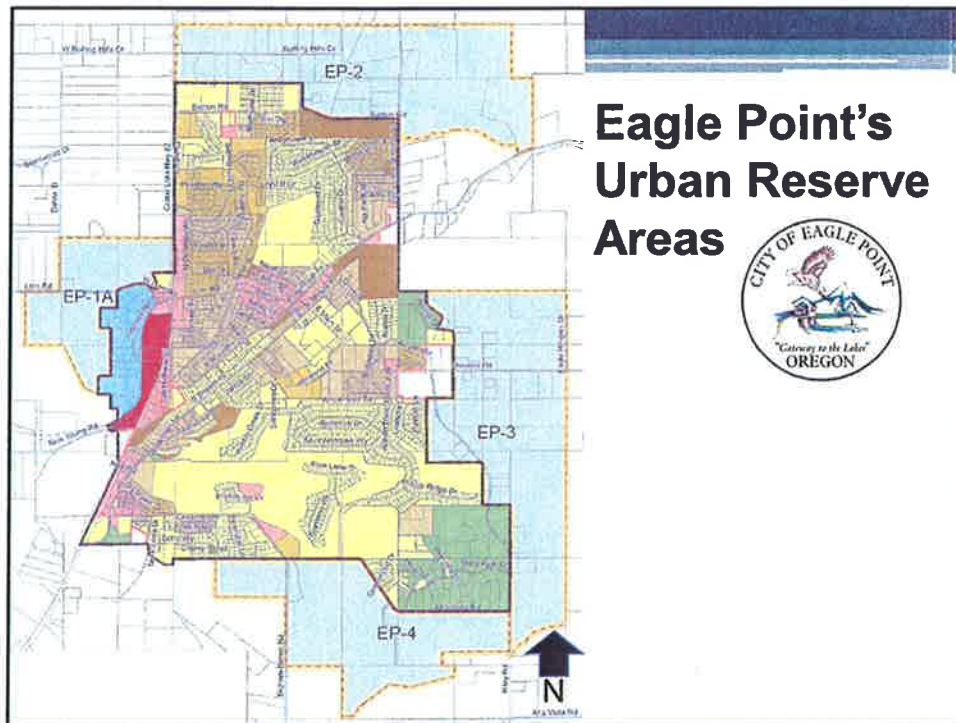


Urban Reserve Area 4



South of city boundary

Eagle Point's Urban Reserve Areas



Recommendation

The Planning Commission recommend by resolution that the City Council:

- Adopt the Regional Plan Element as a new chapter within the City's Comprehensive Plan, which incorporates the Urban Reserve Management Agreement by reference; and
- Amend the Comprehensive Plan Map to include Urban Reserve Areas; and
- Adopt the Agricultural Buffering & Mitigation standards as a new article within the City's **Zoning Ordinance**, including an updated **Zoning Ordinance Table of Contents**.

Comments on documents for the Planning Commission meeting of July 17

See locations indicated on attached pages

Staff report:

p.7 typographical errors—should be “healthy, diverse” not “health, divers”

p.8 space needed—text has “annexationsto”

Regional Plan Element:

Introduction: There is a blank date; can this be completed or is the date in the future?

Section 3: This mentions that Sections 4-6 are extracted verbatim from the Regional Plan. However, according to my memory of the first draft, the text was somewhat different because comments were made about the original text being out of date. So is this still “verbatim”?

Figure EP.5 is referred to as on “the next page”; it appears on the same page

Figure 11.1 is referred to as on “the next page”; it is split between two pages

Urban Reserve Management Agreement:

Several references are made to a map as “Exhibit 1” but I did not see any map or exhibit included.

Zoning Ordinance:

Section 15.030, end of subsection B: refers to a list of “recommended species” in the Regional Plan, then mentions a city planning department with a blank for the city name. Similar text appears at the end of subsection D, and within subsection E, as “appropriate species” but without mention of the city planning department. Should the city name be inserted in subsection B or should the text be revised to omit reference to the city?

Mike Upston

From: Goodrich, Kevin [kevin_goodrich@charter.net]
Sent: Monday, July 16, 2012 6:19 PM
To: Mike Upston
Subject: RE: Planning meetings to discuss RPS?

Thank you, Mike –

I understand that “the RPS process is coming to an end.”

If all members of the Eagle Point Planning Commission have not yet read the Minority Report submitted by Jackson County’s Planning Commission, would you please share the first nine (9) pages of this document with all members in an email before Tuesday’s meeting?

<http://www.co.jackson.or.us/files/lcdc%20record%20pages%201293%20-%201561.pdf> <= first 9 pages

...and/or if you could print and include the Minority Report with their other packet material for Tuesday’s meeting, that would be greatly appreciated too. I sincerely believe that each committee member’s complete knowledge of this very important document submitted by Don Greene and Tani Wouters is crucial for each of them to have before the final vote, so would you please advise if delivering it to them on the public’s behalf would be possible.

Thank you.

Kevin Goodrich
Jackson County

From: Mike Upston [mailto:mikeupston@cityofeaglepoint.org]
Sent: Monday, July 16, 2012 3:57 PM
To: Goodrich, Kevin
Subject: RE: Planning meetings to discuss RPS?

Hi Kevin – The RPS process is coming to an end, with public hearings occurring for all participating cities including Eagle Point over the summer months.

Specific to Eagle Point, our Planning Commission hearing to adopt the plan is tomorrow, with City Council planned for 8/14/12.

Mike Upston, AICP
Principal Planner
City of Eagle Point, OR
"Gateway to the Lakes"
(541) 826-4212, ext 111
mikeupston@cityofeaglepoint.org

Diane Eastman-Shockey
315 Cherry Wood Circle
Eagle Point, OR 997524

July 15, 2012

Eagle Point Planning Commission
17 Buchanan Avenue South
Eagle Point, OR 97524

RE: City of Eagle Point Public Hearing on Comprehensive Plan and Zoning Ordinance
Proposed Amendments July 17, 2012

Planning Commissioners:

My interest is in the proposed Urban Reserve Area 4, based on my review of your master Atlas Volume 3 of 3, page 33.

In Urban Reserve-Area 4, there are existing wetlands already identified and there may be vernal pools and wetlands that are yet to be identified. Additionally, I am concerned nearby creek water could potentially be impacted if annexation and eventual development were to occur.

I request that if the City of Eagle Point applies to Jackson County for annexation of UR Area 4 and entertains a proposal for development, that a thorough analysis be provided by a wetlands professional to determine the existence of any wetlands or vernal pools prior to any development approvals.

Sincerely,

Diane Shockey
cc: Mr. Mike Upston, City of Eagle Point Planner
cc: Jackson County Planning Commission

July 14, 2012

To: Eagle Point Planning Commission

RE: Agricultural Buffering and Mitigation Standards (PA 12-06)

Dear Planning Commission Members:

As an owner of EFU zoned land adjacent to the current City boundary and someone who is familiar with zoning and development codes, I have reviewed the language of the proposed Article XV to the City of Eagle Point Zoning Ordinance. While I am in favor of the intent of the ordinance, I find a number of issues with the proposed ordinance itself. Because of the number of issues with the ordinance as currently written, I would recommend the Planning Commission delay recommending approval of this model ordinance to the City Council until many of the issues related to ordinance's references and language can be corrected. In addition, I believe there should be thought given to whether certain aspects of the model ordinance should be implemented or revised to better serve future land use applications within the City of Eagle Point.

Below is a list of code language items I see that need to be addressed:

1. Section 15.010 – Reference in the final sentence of first paragraph notes City may be required to provide agricultural buffering per Sections 10.801-805. Reviewing the Table of Contents of the Zoning Ordinance as included in the packet I note there is no corresponding section noted. (I could not verify with the zoning ordinance itself, as no copy is provided on the City website at the current time).
2. Beginning with the proposed code section 15.020(B) “Application: Agricultural Impact Assessment Report” and continuing through much of the remaining proposed ordinance, there are references to Subsections and Sections that do not correspond to anything noted in this proposed ordinance.
3. In Section 15.030(B) 6 (b) there is a reference of “City of _____ Planning Department”.

Below is a list of issues that should be considered:

4. Section 15.020(B) 8 (also 15.040(A) 3) – with regards to requesting a deviation from the standards. This paragraph discusses a Conflict Assessment and Mitigation Study (CAMS) and its review and recommendation by a Jackson County Agricultural Buffering Committee. Does such a committee exist, as I could not find any such committee listed on the Jackson County website? Even if such a committee does exist, I am concerned that a land use application could