

CITY OF MILTON-FREEWATER
PLANNING COMMISSION MINUTES
March 4, 2024

The Planning Commission of the City of Milton-Freewater met for an informal pre-meeting study session at 6:30 pm on March 4, 2024 for the purpose of discussing questions on agenda items.

Those present were Commissioners Frank Millar, Mary Ward, Myra Sherwin, Megan Norton, and Chair Nathan Lyon.

Staff participants included City Planner Laurel Sweeney and Planning Assistant Cassidy Ruiz.

No action was taken.

The study session adjourned at 6:59 p.m.

The Planning Commission meeting was called to order on Monday, March 4, 2024 in the Albee Room of the City Library, 8 SW 8th Ave, Milton-Freewater, OR 97862 at 7:00 p.m. by Chair Nathan Lyon.

Commissioners Present: Commissioners Frank Millar, Mary Ward, Myra Sherwin, Megan Norton, and Chair Nathan Lyon were present.

Commissioners Absent: Commissioner Wendy Harris.

There is currently one commissioner position vacant.

Staff Participants: City Planner Laurel Sweeney and Planning Assistant Cassidy Ruiz were present.

Citizens Participants: Kelly & Carolyn Hahn – 250 Powell Rd., Paul Seaquist – 684 College St., Nelsa Boig Jolie – 325 Powell Rd., and Leanne Steadman – 722 S Main St.

Chair Nathan Lyon asked if there were any corrections or additions to the January 2, 2024 minutes. None were stated. Commissioner Mary Ward motioned to approve the January 2, 2024 minutes as written. Commissioner Myra Sherwin seconded the motion. All were in favor for approval. Motion carried 5-0. The minutes of the January 2, 2024 meeting were approved as written.

Citizen Concerns: None shared.

The public hearing was then opened for the Variance application received by Kelly & Carolyn Hahn to allow reduced lot frontage on a public road for two lots located at 250 Powell Road.

Rules for a public hearing were read. No members of the Commission abstained or disclosed ex parte contact.

No audience member objected to any commissioner's right to participate in the public hearing.

City Planner Laurel Sweeney stated that the notice of the hearing was published as required by law.

City Planner Laurel Sweeney stated that one written comment in support of the applicant was received by the Planning Office that afternoon. A copy of the letter was given to each of the Commissioners.

City Planner Laurel Sweeney provided the staff report, which is printed below.

BACKGROUND

The applicant completed the variance process to allow a minor partition with reduced public right of way. This proposal was denied by the Planning Commission at their October 2, 2023 meeting. Subsequently, the applicant submitted a new design which includes reduced street frontage for 2 lots on an existing city road (Powell Road). If this proposal is approved, the applicant will proceed with a minor partition for a total of 3 lots. The city code (Section 10-5-9) allows flag lots with a width of 25 feet on for lots fronting entirely on the circumference of a cul-de-sac. The applicant is requesting two lots with 20 feet access to Powell Road. The applicant would have provided the 25 feet width, but is constrained by the existing sewer line that provides sewer to the existing house, and ownership should remain within that lot.

VARIANCE APPLICABLE CODE PROVISIONS

10-10-5 CONDITIONS FOR GRANTING VARIANCE:

All variances other than minor setback variances shall be heard by the Planning Commission in accordance with Level III processing procedures.

In granting a variance, the Planning Commission shall find that the following conditions have been met:

(A) Exceptional or extraordinary circumstances apply to the property itself such as lot size, shape, or topography, which do not apply generally to other properties in the same zone or vicinity and result from a situation over which the applicant has no control.

Findings: The exceptional or extraordinary circumstances that could apply to the subject property in this case somewhat relates to the existing infrastructure that provides sewer service to the existing home. The sewer line from Powell Road for the existing home should remain with the ownership of that lot. When the sewer infrastructure was installed, it was located in a manner that impacts the future development of the large parcel.

(B) The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

Findings: The variance will allow the applicant to divide their property.

(C) The granting of the proposed variance will not be materially detrimental to property within the vicinity in respects such as public safety, traffic, noise, health and sanitation, and hours of operation. The granting of a variance shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district.

Findings: The proposed minimum lot width of 20 feet will still allow a sufficient width for access to the property, including access for emergency vehicles, and therefore staff feels that the variance would not be materially detrimental to property within the vicinity with respect to

public safety, or traffic. Noise, health and sanitation and hours of operation do not appear to be relevant in this situation.

(D) It must be shown that a material hardship unwarranted within the intent of this ordinance will exist if the variance is not granted, and that the hardship cannot be remedied by other means. The hardship demonstrated must not be self-created, and must relate to the land itself and not to problems personal to the applicant. The variance permitted shall be the minimum variance which will alleviate the hardship.

Findings: There are examples in town where lots with similar widths have been approved.

GENERAL COMMENT

The proposed minimum 20 feet of street frontage would allow enough room for access to these lots. The proposal has not received any opposition to date.

STAFF RECOMMENDATION

Staff recommends granting the variance.

The applicant was then invited to speak.

Kelly Hahn stated that City Planner, Laurel Sweeney's Staff Report explained their proposal well.

Chair Lyon asked if there were any members in support of the applicants.

None were stated

Chair Lyon asked if there were any members in opposition of the applicants.

None were stated.

Chair Lyon asked the Commissioners if there were any more questions.

Commissioner Myra Sherwin asked the applicants if they were placing a cul-de-sac at the end of their private drive.

Commissioner Frank Millar responded stating they were placing a hammer-head turn around, not developing a cul-de-sac.

City Planner Laurel Sweeney stated that the applicant will be putting in an additional fire hydrant in the area.

The Public hearing was declared closed.

Commissioner Ward motioned to adopt the findings of staff and approve the Variance application submitted by Kelly & Carolyn Hahn. Commissioner Sherwin seconded the motion. Commissioner Sherwin, Millar, Norton, Ward, and Chair Lyon were in favor. Motion carried 5-0.

City Planner Laurel Sweeney presented the Administrative Actions of the Planning Department.

City Planner Laurel stated that 93% of business license renewals have been submitted.

City Planner Laurel Sweeney then stated that as of March 5, 2024 she will be retiring from the City of Milton-Freewater and Cassidy Ruiz will be stepping in as Interim City Planner until the newly selected City Manager hires for that position.

Interim City Manager Leanne Steadman thanked City Planner Laurel Sweeney for all her years of service.

Interim City Manager Leanne Steadman gave the Planning Commissioners a brief update in regards to the hiring and interview process of the City of Milton-Freewater's new City Manager.

The meeting was adjourned at 7:20p.m.