

**CITY OF HUBBARD PLANNING COMMISSION MINUTES**  
**APRIL 19, 2016**

**CALL TO ORDER.** The Hubbard Planning Commission meeting was called to order at 6:32 p.m. by the Planning Commission Chairman Dan Estes at the City Hall, 3720 2<sup>nd</sup> Street, Hubbard.

**Planning Commission Present:** Dan Estes, Glenn Holum, Kevin Nelson, Byron Nichols.

**Excused Absence:** Harold Anderson.

**Staff Present:** Director of Administration/City Recorder Vickie Nogle; City Planner Joseph Shearer, MWVCOG; Administrative Assistant Lucy Astorga.

**FLAG SALUTE.** Planning Commission Chairman Dan Estes led the group in reciting the Pledge of Allegiance.

**APPROVAL OF THE FEBRUARY 16, 2016, AND MARCH 15, 2016, PLANNING COMMISSION MEETING MINUTES.** MSA/Planning Commissioner Byron Nichols/Planning Commissioner Glenn Holum moved to approve the minutes as presented. Planning Commissioners Dan Estes, Kevin Nelson, Glenn Holum, and Byron Nichols were in favor. Motion passed.

**PUBLIC HEARING.**

**KEVIN CHAPPELL – SDR #2015-05 CONSTRUCTION OF 5,950 SF STORAGE BUILDING FOR EXISTING NURSERY BUSINESS. (2625 PACIFIC HWY 99E).**

City Planner Joseph Shearer stated the applicant is re-evaluating his options.

D. Estes opened the public hearing.

MSA/Planning Commissioner Glenn Holum/Planning Commissioner Kevin Nelson moved to continue SDR 2015-05 to an undetermined date. Planning Commissioners Dan Estes, Kevin Nelson, Byron Nichols, and Glenn Holum were in favor. Motion passed.

**SETBACK REQUIREMENT – 3501 7<sup>TH</sup> STREET.** City Planner Joseph Shearer reported the request was to amend previous Planning Commission decision Partition 03-01. He said the partition approved in 2003 created two flag parcels, but the layout of the northern parcel (Parcel 1) created unintended consequences to what a flag lot is. He said the house placed on that lot should have faced East, but it faces South. Because of this, it doesn't meet the setback requirement. J. Shearer said staff recommends the amendment to change the front property line of the southern lot (Parcel 2) to the East so it matches the northern lot.

Planning Commission Chairman Dan Estes asked if the proposed structure is one or two story.

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Phil Kartal, 13826 Whiskey Hill Road, Hubbard, said the proposed structure is a one story house and if it sits on the property the way the lot is currently designed, it wouldn't match the other houses on 7<sup>th</sup> Street.

MSA/Planning Commissioner Byron Nichols/Planning Commissioner Glenn Holum moved to amend Partition 03-01 Condition "C". Planning Commissioners Dan Estes, Kevin Nelson, Byron Nichols, and Glenn Holum were in favor. Motion passed.

**OPEN HOUSE – LEGISLATIVE ZONE CHANGE IN COMMERCIAL CENTER.** City Planner Joseph Shearer said he would like to have an informal exchange of information. He said the proposed changes affect a number of structures in the commercial core.

Planning Commission Chairman Dan Estes asked for background information.

J. Shearer reported over the past year and a half, a business was interested in opening along 3<sup>rd</sup> Street. While researching zoning for the business, it was discovered there are discrepancies in the Zone and Comprehensive Plans. He said over the past 10-15 years, zoning has changed and it no longer matches the Comprehensive Plan designation. J. Shearer explained the City received a grant opportunity from Marion County to match them and come up with a win-win situation for the City and property owners. He said the City is not trying to impose a Commercial Zone on residential properties, but want to look at changing properties being used as commercial to Commercial Zone from Residential Commercial Zone.

Planning Commissioner Byron Nichols asked if property owners don't want to change their zoning now, but do later, would they have to pay for it.

J. Shearer replied if they do it now, it would be covered with the grant funds, but if they wait, they will have to pay for it. He said costs for zone change varies based on circumstances, but it can easily be a couple thousand dollars.

Al Martin, 3030 E. Street, Hubbard, said he does not want to change his zoning.

J. Shearer said ultimately, the decision will be a recommendation from the Planning Commission to the City Council, but reiterated the intention is not to force property owners to change zones. He said the problem with the Zoning map is it does not show what the property is actually being used for, it just gives an idea of what it can be used for. He added that is why he walked each of the streets a few weeks prior to note what the property is actually being used for.

Walter Schmidt, 3689 3<sup>rd</sup> Street, Hubbard, said he has a dividable lot and when he purchased the property, he came down to City Hall and asked what Residential Commercial zoning meant. He said he was told he could have his house on it and if he wanted to put a 7-11 next to his house, he could and that is the way he wants it to stay. He said this is one of the biggest investments people make in their lives and he is not going to stand by and let someone take it away from him.

J. Shearer said nobody is proposing to take that away. He said the City is not looking to change any properties that are being used as residential. He encouraged everyone to attend the Planning

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Commission Public Hearing on May 17, 2016. He added without open houses and discussion such as this, the City does not have a way of knowing how the property owners feel.

Barbara Ruiz, address not provided, (3392 1<sup>st</sup> Street, Hubbard) said according to the notice, property owners are being forced to change. She said if the zoning changes, the taxes and water bills are going to go higher. She said according to the notice, five of the six properties are changing from Industrial to Residential.

J. Shearer stated he believes B. Ruiz is mishearing or misunderstand the maps on the notice. He said the maps on the notice show what the current designations are for the Zone and Comprehensive Plans.

Tom McCain, address not provided, (3362 1<sup>st</sup> Street, Hubbard) asked why the notice with the maps was sent out if it does not apply.

J. Shearer responded because it shows there are discrepancies between the Zone map and Comprehensive map, which is exactly what the City is trying to fix.

D. Estes explained the actual proposal has not been released yet.

B. Ruiz stated her question is why the City wants to change property from Industrial to Residential.

J. Shearer replied the City does not want to change from Industrial to Residential. He explained the proposal would be to change the Industrial property to Industrial Commercial. He said on the notice, it says the preliminary concept is property zoned Residential Commercial and containing commercial uses or structures would be rezoned to Commercial. He reiterated it does not say anything about changing properties zoned Residential Commercial that is actually being used for residential. He said the City does not want to change properties if the property owner wants it to remain as-is. J. Shearer invited property owners to initial their properties on the map so if they do not want to be included, they would not be.

B. Ruiz stated the water, sewer, and taxes will go higher.

J. Shearer suggested contacting the Marion County Tax Assessor regarding the tax increase.

Administrative Assistant Lucy Astorga stated the water and sewer rates do not change based on the zoning, they change based on what the use is.

J. Shearer said he believes the taxes are also based on the way the property is being used.

B. Ruiz said the water and sewer rates are controlled by the City. She added customers are charged more for commercial than for residential.

L. Astorga reiterated the rates are based on the use, not the zone.

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T. McCain said it cannot be based on the use because the City charges him two different rates for his businesses. He said the Laundromat does not even pay residential water bills. He said the rates are higher for businesses than his house. He said they are on different rates.

Director of Administration/City Recorder Vickie Nogle said there are different rates for commercial and residential, but it is based on the use, not the zone.

T. McCain said once the red tag is on it, it'll be considered commercial.

J. Shearer reminded the audience the City does not have the ability to change what is happening on the properties.

T. McCain asked why the City sent out the papers and got everybody excited about the issue.

J. Shearer responded the City is legally required to notify all properties in the area.

T. McCain commented that if something is zoned Residential Commercial right now, you can put anything commercial on it that you want.

J. Shearer replied that is not correct.

Brad Williams, address not provided, (said everyone is freaked out about their residence being changed to some other designation, but that is not the intention of the Planning Commission or City Planner. He clarified that if a person's property is currently being used as residential and the property owner wants it to stay as residential, the City Planner will make sure it stays as residential.

J. Shearer gave some examples of Residential Commercial and Commercial uses.

B. Ruiz commented that there's no parking along 3<sup>rd</sup> Street.

J. Shearer said any businesses will still have to comply with the Development Code.

D. Estes asked what the timeline is.

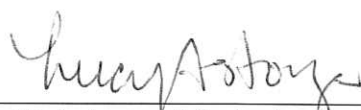
J. Shearer responded it has to go through the public hearing process, both before the Planning Commission and again before the City Council. He said in order to stay on the timeline for the grant, everything needs to be wrapped up by the beginning of July.

**ADJOURNMENT. (The next scheduled Planning Commission Meeting will be May 17, 2016, at 6:30 p.m.)** MSA/Planning Commissioner Glenn Holum/Planning Commissioner Kevin Nelson moved to adjourn the meeting. Planning Commissioners Dan Estes, Kevin Nelson, Byron Nichols, and Glenn Holum were in favor. Motion passed. Meeting was adjourned at 7:21 p.m.

  
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Dan Estes, Planning Commission Chairman

**ATTEST:**

  
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Vickie L. Nogle, MMC  
Director of Administration/City Recorder

  
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Lucy T. Astorga, Admin Asst.  
Recording & Transcribing