

**CITY OF HUBBARD PLANNING COMMISSION MINUTES  
MAY 17, 2016**

**CALL TO ORDER.** The Hubbard Planning Commission meeting was called to order at 6:31 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.

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

**APPROVAL OF THE APRIL 19, 2016, PLANNING COMMISSION MEETING MINUTES.** MSA/Planning Commissioner Glenn Holum/Planning Commissioner Kevin Nelson moved to approve the minutes as revised. Planning Commissioners Dan Estes, Kevin Nelson, Glenn Holum, and Byron Nichols were in favor. Motion passed.

**PUBLIC HEARING.**

**LA #2016-02/ LEGISLATIVE ZONE CHANGE IN THE COMMERCIAL CENTER.** Planning Commission Chairman Dan Estes opened the public hearing.

City Planner Joseph Shearer reported the Legislative Zone Change would be 13.2 acres within the 20.3 acre Hubbard Commercial Center, including 7.6 acres of Residential Commercial rezoned to Commercial, and 5.6 acres of Industrial rezoned to Industrial Commercial. He asked if there were any conflicts of interest or bias to declare. There were none. J. Shearer read the legislative statement.

J. Shearer reported the City Council authorized a legislative rezone of the Commercial Center in conjunction with a grant awarded by Marion County for economic development purposes. The Commercial Center was loosely defined by the comprehensive plan. It was found that only a small portion of that Commercial Center is actually zoned Commercial. He said staff is trying to streamline commercial development within the Commercial Center, and part of that is bringing the zoning in the area into compliance with the Comprehensive Plan. He said the ODDA report shows a shortage of viable commercial properties and a redevelopment potential for the Commercial Center area.

J. Shearer said the approach staff took in making a proposal to the Planning Commission was to take properties zoned Residential Commercial with commercial uses or structures and rezone them to Commercial. Properties zoned Residential Commercial with residential uses are not included in the rezone proposal. Also proposed is to take properties zoned Industrial and make

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them Industrial Commercial, which opens them up to a wider range of uses. The applicable Land Use goals and policies are listed in the staff report.

J. Shearer said Vickie Nogle passed along a list of Marion County Assessor account numbers where the owner either did not want to be included, or had concerns with the zone change. He said the properties are in the South West corner. The current zoning of the properties is Residential Commercial, the Comprehensive Plan designation is Commercial, but they are also in the Pacific Highway 99E Overlay zone, which allows for additional commercial uses to otherwise Residential Commercial zoned properties. He said he was curious why the property owner didn't want to be included because comparing the uses between the Residential Commercial and Commercial zone, the only one not allowed in the C zone would be residential purposes. He said when taking into account the best use of the land, his recommendation would be to continue with the zone change on those properties.

Brad Williams, 3780 2<sup>nd</sup> Street, Hubbard, asked if taxes increases based on changing the zone from Residential Commercial to Commercial.

J. Shearer said the same question had come up at the work session and he did his best to answer it. He said contacted the Marion County Assessor's Office and was told the assessment on the properties is not based on the underlying zoning; it is based on the use of the property. He added the City received a letter from the Housing Advocates and Fair Housing Council of Oregon. He said their concern is in regard to Statewide Housing Goal 10, which deals with housing. Their concern is there are housing impacts associated with the zone change that have not been addressed by the City. J. Shearer said normally, if there is no change to the Comprehensive Plan designation, a detailed analysis doesn't need to be done for the statewide housing goals. When Comprehensive Plan amendments are done, it is required to look at the impact of the statewide housing goals.

D. Estes opened the meeting to proponents. There were none.

D. Estes opened the meeting to opponents.

Dirk Williams, 3629 3<sup>rd</sup> Street, Hubbard, said he would like something in writing that his property won't be involved in the zone change. He said his property is zoned Residential Commercial and wants it to stay that way, as does his neighbor Walter Schmidt.

Brad Williams, 3780 2<sup>nd</sup> Street, Hubbard, asked about some of the ownership of property within the Commercial Center. He pointed out that one of the properties at G Street and 2<sup>nd</sup> Street has a house on it.

J. Shearer commented he recalls an industrial property with a house on it.

B. Williams said some properties, such as along 3<sup>rd</sup> Street, have apartments above businesses. He asked if a letter would be sent out to each property explaining the zone change when it occurs. He added he believes the zone change is a good idea for Hubbard's economic development.

J. Shearer said this process, providing a written decision is the legal documentation, not a letter sent to property owners.

D. Estes closed the public comment portion of the Public Hearing.

D. Estes said if people do not want their property to change without their willingness, they should respect that and not force changes.

Planning Commissioner Glenn Holum asked if Tom McCain doesn't want to change zone, would remaining Residential Commercial limit the uses allowed on the property?

J. Shearer responded he isn't really limited because he is also in the overlay zone, but added the property owner could change the uses from commercial to residential, which would impact the economic development.

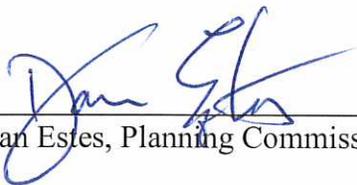
D. Estes commented there are three City Councilors who have property within the designated Commercial Core area and according to Oregon Ethics rules, they can't vote on this matter due to conflict of interest. He asked if it would be possible to change the boundaries of the study area to exclude those properties as they don't want to be included anyway; that way those Councilors would be able to vote on and discuss the matter.

J. Shearer clarified the Planning Commission is making a recommendation to the City Council. He said he doesn't know that the boundaries of the study area need to be changed, as the Planning Commission can just exclude the properties in their recommendation before it goes to the Council level. He added that legal counsel will be present at the City Council meeting to advise if necessary.

MSA/Planning Commissioner Glenn Holum/Planning Commissioner Byron Nichols moved to forward the staff recommendation to City Council for approval, with the removal of Marion County Assessor account numbers R11467, R11464, R11457, R11460, R11463, as the property owner did not want to be included. Planning Commissioners Dan Estes, Kevin Nelson, Byron Nichols, and Glenn Holum were in favor. Motion passed.

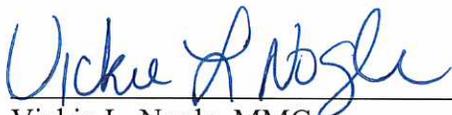
City Planner Joseph Shearer informed the Planning Commission that he is leaving his position with the Mid-Willamette Valley Council of Governments to take a job closer to home. He thanked the Planning Commission and praised them on their efforts in helping Hubbard.

**ADJOURNMENT. (The next scheduled Planning Commission Meeting will be June 21, 2016, at 6:30 p.m.)** MSA/Planning Commissioner Byron Nichols/Planning Commissioner Glenn Holum 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 7:16 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.  
Transcribing