

**AGENDA  
DAYTON PLANNING COMMISSION**

**DATE:** Thursday, Sept. 10, 2015  
**PLACE:** City Hall Annex, 408 Ferry St  
**TIME:** 6:30 PM

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<u>ITEM</u>	<u>DESCRIPTION</u>	<u>pg#</u>
A.	Call to Order	
B.	Approval of Order of Agenda <i>(Additions, corrections or deletions to the agenda)</i>	
C.	Appearance of interested citizens	
	This time is reserved for questions or comments from persons in the audience on any topic	
D.	Approval of Minutes for February 12, 2015	1-5
E.	Public Hearing for Land Use Code Amendment 2015-001	
	1. Staff report dated September 3, 2015	6-10
	2. Exhibit "A"	11-13
F.	Request for recommendation to City Council regarding a recommendation for designation of Commerce Street	
	1. Memorandum dated September 1, 2015	14-15
G.	Planning Commission Training September 24, 2015 in Bend, Or.	
	1. Informational Brochure	
H.	Other Business	
I.	Adjournment	

Posted: September 3, 2015  
Debra Lien, Community Development Specialist

*Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Dayton at least 32 working hours (4 days) prior to the meeting date in order that appropriate communication assistance can be arranged. The Dayton City Hall Annex is accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.*

**NEXT SCHEDULED MEETING DATE**  
Thursday, October 8, 2015  
CITY OF DAYTON, PO BOX 339 DAYTON, OREGON 97114  
Phone: 503.864.2221 Fax: 503.864.2956  
[www.ci.dayton.or.us](http://www.ci.dayton.or.us)

**DAYTON PLANNING COMMISSION  
MINUTES OF MEETING OF FEBRUARY 12, 2015**

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Present: Tim Parsons, Gary Wirfs, Pam Horst, Carol Hatfield, Ann-Marie Anderson

Staff: Joey Shearer, Debra Lien

Applicant: Kelly Haverkate & Paul Falsetto

The meeting was opened by the chair Tim Parsons at 6:37 pm.

There was no change to the agenda. There was no testimony from interested citizens.

**Election of officers**

Pam nominated Gary for Planning Commission Chair, seconded by Ann-Marie. Then Ann-Marie nominated Tim for chair, seconded by Gary. Gary received three votes-Ann-Marie, Pam and Carol. Tim received two votes, from Tim and Gary. Gary was elected by 3-2 vote.

Carol nominated Tim for Vice-Chair, seconded by Gary. There were no other nominations. Tim was elected vice-chair unanimously, 5-0.

**Approval of minutes from May 18, 2014, July 10, 2014 and October 9, 2014**

Ann-Marie made a motion to approve all minutes as written, seconded by Carol. The motion passed unanimously, 5-0.

**Public hearing for Site Development Review 2015-001; Minor Variance 2015-001 and Minor Variance 2015-002 for property located at 303 Main St.**

The hearing was opened. Ann-Marie noted that she lives two door down from the property. She talked to Kelly about the building being two story. Everyone drives by the property regularly. Otherwise there was no ex parte contact, bias or conflict of interest.

The public hearing procedures were read into the record.

**STAFF REPORT**

City Planner Joey Shearer summarized the staff report. The property is zoned C/R, Commercial/Residential. This will be a mixed use building. Because this is a lot of record

recorded in the original town, the minimum required of the zone of 9,000 square feet is not applicable.

He noted that previously in Site Development Review 2013-01, an outdoor seating area was approved on the lot next door. The use is the same here, and the owner is the same. He believes it is appropriate to make the same determination in this case as well.

The commercial spaces will occupy 2,745 square feet on the ground floor. A minor variance has been requested because the maximum square footage for this overlay zone is 2,500 square feet.

Lot coverage standards have been met.

Per section 7.2.111.04, no off-street parking and loading is required. They have chosen to provide parking, and the regulations apply, so they have requested a variance to parking space dimensions.

As per SDR2013-01, he recommends waiver of the street tree requirements.

They meet the setback requirements.

Code requirements say the front of the building shall face the street; in this case the courtyard faces Main Street, and he feels this satisfies the orientation requirement.

Joey explained that the minor variance criteria say the variance from a quantifiable standard must be less than 10%. Both variance requests (to parking stall size and square footage) meet this standard. He noted that the parking spaces they will provide will be larger than those for a compact parking space. Most findings can be met; there are clear and objective standards. He said if there are any questions about General Development Standards not touched on in the above review, they can come back to those later.

Tim observed that any requirements of the public works standards are not being approved tonight; those will be done later. Joey said the applicant chose to apply for all three land use actions together, if there are questions, Joey can answer them later.

Written comments from Judy Gerrard were submitted for the record. She was unable to attend tonight (attached hereto and made a part hereof).

Kelly Haverkate, 523 Ash St., Dayton, is the representative for the owner, Twin Towers, LLC. She started by noting this is the first commercial building project in Dayton in quite a while. Their architect Paul Falsetto did a great job. The building contains two living spaces and two commercial spaces. This is a needed destination and will add vitality to the downtown. She noted they have spoken with Judy Gerrard, who lives next door to the

project and will address her concerns. Using good quality HVAC equipment will reduce the noise concerns Judy addressed in her comments.

Paul Falsetto-1605 NE Buffalo St., Portland. Paul is the architect for the project. He said the project at the Baptist Church, 301 Main and this project located next door are really intended to work together. Their team worked on the public improvements for this job when doing the construction at 301 Main. They have tried to tie some Dayton history into the project by calling it Francis Court, after previous owner Carl Francis, who was a lawyer and a judge.

They have tried to be respectful of the building (old Baptist Church) next door and have integrated the two together.

In the courtyard there will be a series of trellises and places to sit. Seufert's winery will be moving in there. There will be a mercantile in front. There is no front door (facing Main St.), but there is a front courtyard. There will be parking off the alley in the back for the residential tenants. The mitigation for the shorter parking spaces is to make them wider. Maneuverability is an issue and wider parking spots than required will allow for that. They will asphalt down the alley along both lot frontages.

The other variance is to building size. It is under 10%. What drives the size of the project is the apartments upstairs.

There will be two windows fronting Main Street on the ground level so it has more personality. They needed to keep the curb alignment with the current sidewalk. The current sidewalk is located one foot inside their property line. This is why they asked for the variance to the parking in back; to make up the room the sidewalk takes up in front. They will keep the building narrow on Main St., and keep it as low as possible so as not to overshadow the adjacent building, they had to go deep into the site. It will be constructed of brick and wood. The courtyard will be nicely landscaped. The alley side will be designed to look residential.

He talked about Judy's concerns; light spill and sound from the heat pump units. There will be a 6 feet high fence. They will use more expensive, but quieter units. The lights will be located on the fence and will shine back on their building, which will be 27 feet tall. The width will be similar to the width of Judy's house height of 26 feet and of the church building.

Pavers will be used in the courtyard and are the same as used at the Blockhouse Cafe. Those patrons have to be separated because of alcohol being served. The promenade is the walkway into the site. There will be a series of seating areas with trellis work and plantings. There will be two deck seating areas. One will be for the winetasting. They will install a water feature as well.

### **Planning Commission questions**

Pam Horst asked if they will pave the alley. Paul said they are adding traffic so they have to pave it on their side. They have to provide for storm water also. They will pave beyond the property to the west at the request of the city engineer.

Joey Shearer commented that the city engineer requested the paving to mitigate the higher use of the alley this development will bring.

Gary Wirfs asked if the separation between the two properties (Blockhouse Café and the new development) will extend the entire length of the common property line. Paul said OLCC regulations will require it. They have to show the business can control the area. There will be a fence in the back, so there will be a barrier all the way down.

There were no questions or comments from Carol or Ann-Marie.

### **Audience comments**

Sandra Utt-304 Church St. She lives behind the proposed development. She had concerns over parking in the alley and deliveries. There is one way traffic because the alley is so narrow. She requested no parking signs in the alley. She also wanted to know where the additional street light will be located. Paul said it will be out front on the west end.

Sandra asked where the access from the alley to the dwellings will be located. Paul said the parking will be only for the residences, not the businesses. The pedestrian access will be on the west side to the breezeway. Guest parking will be where everyone else parks.

Paul said the building itself will block light and Judy observed that traffic on 3<sup>rd</sup> St will be blocked by the building. They are not required to put a stop sign in the alley to 3<sup>rd</sup> St.

Debbie Kearns- McDougall Rd. said she will be running the Dayton Mercantile. This is an opportunity to keep money in town. She commented this is a very well-thought out project.

Ann-Marie asked if she will have the business in the front. The answer- yes.

After seeing no more questions, the public hearing was closed at 7:28 pm.

Gary had no concerns. Pam commented that all conditions appear to have been met for all three applications. Carol commented that the development is well-thought out. Ann-Marie had no problems with the variances.

**Motion**

Pam made a motion to approve the applications and adopt the findings and conditions of approval for all three applications, as in the staff report. The motion was seconded by Carol and was approved unanimously, 5-0.

**Other Business**

Debra noted that the apartment complex application for the corner of 3<sup>rd</sup> and Alder has been withdrawn. The developer will build two single family dwellings. There was no other business. There will be no meeting in March.

**Adjournment**

Ann-Marie made a motion to adjourn the meeting, seconded by Carol, the motion was passed unanimously, 5-0 and the meeting was adjourned at 7:32 pm.

Respectfully submitted,

Debra Lien  
Community Development Specialist

**CITY OF DAYTON**  
416 Ferry Street – P. O. Box 339  
Dayton, OR 97114-0039  
503-864-2221 fax 503-864-2956

**PLANNING COMMISSION  
STAFF REPORT**

**DATE:** September 3, 2015

**FILE NUMBER:** LUCA-2015-01

**HEARING DATE:** September 10, 2015

**APPLICANT:** City of Dayton

**REQUEST:** Amendment to the Dayton Land Use and Development Code (LUDC) to allow outdoor seating for permitted eating and drinking establishments in the Commercial Residential (CR) Zone, and outdoor cooking for permitted eating and drinking establishments in the Commercial (C) Zone.

**CRITERIA:** **Dayton Land Use and Development Code (LUDC)**  
Section 7.3.112 Text Amendments

**ATTACHMENTS:** Exhibit A: Strike and Bold Amendments to the LUDC

**I. BACKGROUND**

An amendment to the Dayton Land Use and Development Codes is a Type IV (Legislative) action. A Type IV action requires a recommendation from the Planning Commission to the City Council, which makes the final decision.

**II. SUMMARY OF PROPOSED AMENDMENT**

The purpose of the proposed amendments is to expand the types of outdoor activities that are permitted in association with eating and drinking establishments, and clarify the limitations on those uses in the Commercial and Commercial Residential Zones. The City of Dayton has a growing restaurant industry, and these proposed amendments are designed to enhance the vibrancy of this industry and the City itself while mitigating potential conflicts with surrounding uses.

These amendments, along with most provisions of the LUDC, apply to private property outside the public right-of-way (ROW). For example, these amendments would allow a permitted eating or drinking establishment to set up a certain amount of permanent outdoor seating on a back patio or courtyard. The proposed amendments would not permit a restaurant or bar to set up tables on the sidewalk. Outdoor eating (and/or drinking) in the public ROW could be allowed by the City, but that should be a separate process under whichever authority is best suited to regulated activities and

development in the ROW. The proposed amendments, shown in detail in Exhibit A, are summarized below.

**Proposed amendment to Section 7.2.105.06 Development Standards (Commercial Residential Zone)**

- B. *Commercial Uses. Commercial uses in the CR zone shall comply with the following additional standards:*
1. *All business, service, processing or merchandise displays shall be conducted wholly within an enclosed building, except for the following:*  
(\*\*\*)
    - c. *Outdoor seating for a permitted eating and drinking establishment, subject to screening and buffering provisions in Section 7.2.306.04. The greater of 12 seats or 75 percent of the indoor seating capacity of the establishment is allowed for outdoor seating.*

**CONCLUSION:** The amendment allows outdoor seating for eating and drinking establishments, uses already permitted in the zone, subject to screening and buffering provisions which will minimize conflicts with surrounding uses (i.e. residential uses). The maximum amount of outdoor seating is set at 12 seats or 75% the indoor capacity, whichever is greater.

**Proposed amendment to Section 7.2.106.06 Development Standards (Commercial Zone)**

2. *All business, service, processing or merchandise displays shall be conducted wholly within an enclosed building, except for the following:*  
(\*\*\*)
  - d. *Outdoor cooking and seating for a permitted eating and drinking establishment, subject to screening and buffering provisions in Section 7.2.306.04. The greater of 12 seats or 75 percent of the indoor seating capacity of the establishment is allowed for outdoor seating.*

**CONCLUSION:** The amendment allows outdoor cooking for eating and drinking establishments subject to screening and buffering provisions which will minimize conflicts with surrounding uses. The maximum amount of outdoor seating, which is already allowed, is set at 12 seats or 75% the indoor capacity, whichever is greater.

**III. STAFF FINDINGS**

**7.3.112 TEXT AMENDMENTS**

*7.3.112.03 Criteria for Approval*

*Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:*

- A. *Impact of the proposed amendment on land use and development patterns within the city, as measured by:*
1. *Traffic generation and circulation patterns;*
  2. *Demand for public facilities and services;*
  3. *Level of park and recreation facilities;*
  4. *Economic activities;*
  5. *Protection and use of natural resources;*



6. *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.*

**FINDING:** Of the six factors listed above, Staff finds that the proposed amendments will only impact two, addressed below:

**4. Economic activities:** As stated above, the City of Dayton has a growing restaurant/hospitality industry, and is situated to capture a growing share of the surrounding wine industry tourism. However, it is also important that Dayton maintain its character and identity, and that existing residential uses are protected through mitigation measures such as screening and buffering.

**6. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements:** The Dayton Planning Atlas and Comprehensive Plan makes multiple references to strengthening the existing downtown and attracting customers to it. Furthermore, the Economy section lists the following policy: *The City shall encourage, and establish regulations supporting, the location of wineries and their attendant businesses in the community.*

The restaurant industry and wine industry are closely related, especially in Oregon's wine country. Wineries and restaurants are permitted uses in Dayton's Commercial Zone, and restaurants and wine retail are permitted in the Commercial Residential Zone. The majority of land zoned Commercial and Commercial Residential is located in downtown (with smaller pockets of Commercial east along Ferry Street). The proposed amendment expands the permitted outdoor activities associated with eating and drinking establishments in these zones, which will help cultivate a more vibrant downtown during the warmer months. Allowing eating and drinking establishments to expand their seating into the outdoors also enables them to accommodate more customers during peak tourist season.

- B. *A demonstrated need exists for the product of the proposed amendment.*

**FINDING:** Staff has received multiple inquiries about outdoor cooking and seating related to permitted eating and drinking establishments during the past year. Creating better definition to the scope of permitted outdoor activities adds needed certainty to developers, business owners, and neighbors.

- C. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.*

**FINDING:** The State has adopted 19 goals for state and local land use decisions. The proposed amendment complies with the Goals as described below:

**Goal 1 Citizen Involvement:** Requires that the City develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. Agency and public notice are provided as required by law. Public hearing by the Planning Commission and City Council will be held.

**Goal 2 Land Use Planning:** Requires that the City establish a land use planning process and policy framework as a basis for all decisions related to the use of land and to assure an adequate factual basis for such decisions. The acknowledged Dayton Land Use and Development Code contains procedures and requirements for facts and findings which are carried out herein.

Goal 3 Agricultural Lands & Goal 4 Forest Lands: Goals 3 and 4 are not applicable. The proposal does not affect consistency with the goal.

Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces: The proposal does not affect consistency with the goal.

Goal 6 Air, Water and Land Resource Quality: The proposal does not affect consistency with the goal.

Goal 7 Natural Hazards: The proposal does not affect consistency with the goal.

Goal 8 Recreation: The proposal does not affect consistency with the goal.

Goal 9 Economic Development: The proposed amendments support economic development and the applicable policies in the acknowledged Planning Atlas and Comprehensive Plan as discussed above.

Goal 10 Housing: The proposal does not affect consistency with the goal.

Goal 11 Public Facilities and Services: The proposal does not affect consistency with the goal.

Goal 12 Transportation: The proposal does not affect consistency with the goal.

Goal 13 Energy Conservation: The proposal does not affect consistency with the goal.

Goal 14 Urbanization: The proposal does not affect consistency with the goal.

Goals 15-19 do not apply within the City of Dayton.

*D. The amendment is appropriate as measured by at least one of the following criteria:*

- 1. It corrects identified error(s) in the provisions of the plan.*
- 2. It represents a logical implementation of the plan.*
- 3. It is mandated by changes in federal, state, or local law.*
- 4. It is otherwise deemed by the council to be desirable, appropriate, and proper.*

**FINDING:** As described above, Staff finds that the proposed amendment represents a logical implementation of Economy Section, Policy 4: *The City shall encourage, and establish regulations supporting, the location of wineries and their attendant businesses in the community.*

#### **IV. CONCLUSION & STAFF RECOMMENDATION**

Staff concludes that the proposed amendments comply with the applicable decision criteria. Staff recommends that the Planning Commission adopt the findings in the staff report and send a recommendation to the City Council to approve the proposed amendments, as shown in Exhibit A, to the Dayton Land Use and Development Code. The City Council makes the final decision on the proposed amendments and may adopt such via ordinance.

## V. PLANNING COMMISSION OPTIONS

The Planning Commission has the following options regarding the proposed Land Use and Development Code amendments. Based upon the findings and conclusion above, Staff recommends that the Planning Commission make a motion reflecting Option #1.

- A. Recommend City Council approval of the Land Use and Development Code amendments and adopt the findings contained in the staff report.
- B. Recommend City Council approval of the Land Use and Development Code amendments with amended findings.
- C. Recommend City Council approval of modified Land Use and Development Code amendments with amended findings.
- D. Recommend City Council denial of Land Use and Development Code amendments with amended findings and conclusions addressing reasons why the proposal fails to comply with the applicable decision criteria.
- E. Continue the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

## EXHIBIT A – “Strike and Bold” Amendments to the LUDC

### PROPOSED AMENDMENTS

The following shows language to be added in underline and language to be deleted in ~~strikeout~~.

#### 7.2.105 COMMERCIAL RESIDENTIAL ZONE (CR)

##### 7.2.105.06 Development Standards (*Amended ORD 583, Effective 9/6/07*)

###### A. Use Restrictions. The following use restrictions shall apply:

1. No permitted, special permitted or conditionally permitted use shall in any way involve any of the slaughter, rendering or processing of animals. The processing of grains, fruits, vegetables, or dairy products for breads, wines, jams, cheeses and similar products may be allowed as part of a permitted or conditionally permitted commercial business. (*Amended ORD 583, Effective 9/6/07*)
2. ~~All business, service, processing or merchandise displays shall be conducted wholly within an enclosed building, except for the following:~~
  - a. ~~Off street parking and loading.~~
  - b. ~~Temporary display and sales of merchandise; provided it does not interfere with pedestrian or automobile circulation, or areas of a permitted drive-through window or walk-up window. (*Amended ORD 610 effective 4/2/12*)~~

###### B. Commercial Uses. Commercial uses in the CR zone shall comply with the following additional standards:

1. All business, service, processing or merchandise displays shall be conducted wholly within an enclosed building, except for the following: The activity shall be conducted wholly within an enclosed structure with the exception of a business with a permitted drive through window or walk-up window. (*Amended ORD 610 effective 4/2/12*)
  - a. Off-street parking and loading
  - b. Temporary display and sales of merchandise; provided it does not interfere with pedestrian or automobile circulation, or areas of a permitted drive-through window or walk-up window.
  - c. Outdoor seating for a permitted eating and drinking establishment, subject to screening and buffering provisions in Section 7.2.306.04. The greater of 12 seats or 75 percent of the indoor seating capacity of the establishment is allowed for outdoor seating.
2. The maximum lot size for any commercial use shall be one acre.
3. Any new commercial structure shall maintain a residential appearance. Metal buildings, pole barns and similar structures are prohibited within the CR zone.

## EXHIBIT A – “Strike and Bold” Amendments to the LUDC

4. Commercial uses shall not engage in the manufacturing, processing, assembly or compounding of products other than those clearly incidental to the business conducted on the premises.
5. The commercial use shall have a maximum floor area of 2,500 square feet per lot.
6. Any outside storage space maintained in the CR Zone shall be enclosed by a 6 foot sight-obscuring fence or a hedge row not less than 3 feet high and capable of attaining a height of 6 feet.

### 7.2.106 COMMERCIAL (C)

#### 7.2.106.06 Development Standards

- A. Development Exemptions: Commercial property located in the Central Business Area shall be subject to the requirements in Section 7.2.111.
- B. Use Restrictions. The following use restrictions shall apply:
  1. No permitted, special permitted or conditionally permitted use shall in any way involve any of the slaughter, rendering or processing of animals. The processing of grains, fruits, vegetables, or dairy products for breads, wines, jams, cheeses and similar products may be allowed as part of a commercial business or small-scale manufacturing where permitted in the zone. *(Amended ORS 583, Effective 9/6/07)*
  2. All business, service, processing or merchandise displays shall be conducted wholly within an enclosed building, except for the following:
    - a. Off-street parking and loading.
    - b. Walk-up and drive-through windows as part of a permitted use with the window meeting the required standards of Sections 7.2.414 and 7.2.415 respectively. *(Amended ORD 610 effective 4/2/12)*
    - c. Temporary display and sales of merchandise; provided it does not interfere with pedestrian or automobile circulation, or areas used for an approved drive-through or walk-up window. *(Amended ORD 610 effective 4/2/12)*
    - d. Outdoor cooking and seating for a permitted eating and drinking places establishment, subject to screening and buffering provisions in Section 7.2.306.04. The greater of 12 seats or 75 percent of the indoor seating capacity of the establishment is allowed for outdoor seating.
    - e. Outdoor display customary to a business (e.g. auto sales).

## EXHIBIT A – “Strike and Bold” Amendments to the LUDC

### 7.2.306 SITE AND LANDSCAPING DESIGN

#### 7.2.306.04 Screening and Buffering

- A. Screening. Screening shall be used to eliminate or reduce the visual impacts of the following uses:
1. Commercial and industrial uses when abutting residential uses.
  2. Industrial uses when abutting commercial uses.
  3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas.
  4. Outdoor storage areas.
  5. Parking areas for 20 or more vehicles for multi- family developments, or 30 or more vehicles for commercial or industrial uses.
  6. At and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners.
- B. Screening Methods. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, building parapets, building placement or other design techniques. Where vegetative methods are used, the screening shall reach a minimum of six feet in height upon maturity.
- C. Buffering. Buffering shall be used to mitigate adverse visual impacts, dust, noise or pollution, and to provide for compatibility between dissimilar adjoining uses. Where buffering is determined to be necessary, one of the following buffering alternatives shall be employed:
1. Planting Area: Width not less than 15 feet, planted with either one row of trees staggered and spaced not more than fifteen 15 feet apart; or, at least one row of shrubs forming a continuous hedge at least 5 feet in height within one year of planting.
  2. Berm Plus Planting Area. Width not less than 10 feet, with the combined total height of the berm and hedge not less than 5 feet.
  3. Wall Plus Planting Area. Width must not be less than 5 feet with a masonry wall or fence not less than 5 feet in height and lawn, shrubs or ground cover covering the remaining area.
  4. Other approved methods which produce an adequate buffer considering the nature of the impacts to be mitigated.



# Mid-Willamette Valley Council of Governments

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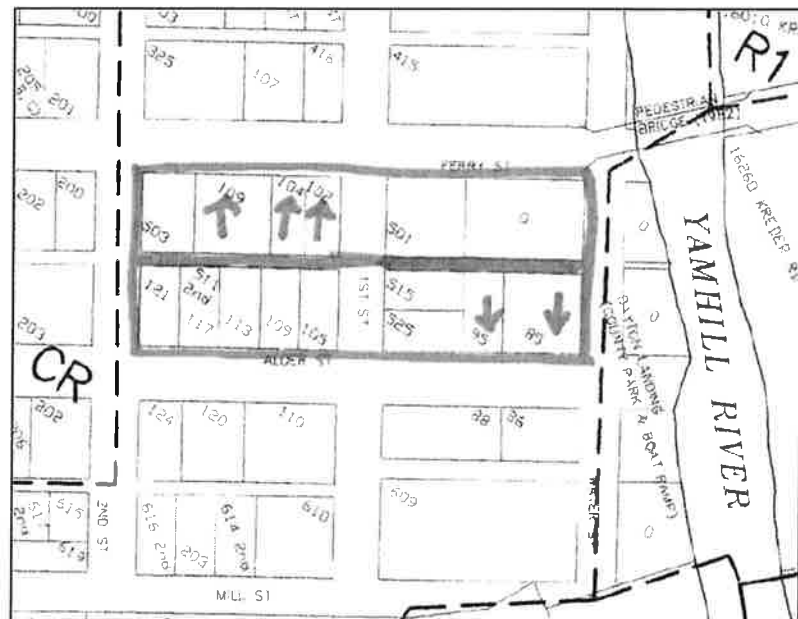
*Getting things done together!*

**DATE:** September 1, 2015  
**TO:** Dayton Planning Commission  
**FROM:** Joseph Shearer, City Planner  
**HEARING DATE:** September 10, 2015  
**REQUEST:** Consideration of the renaming to Commerce Street of the portion of the 20' currently unnamed alley running approximately 715' between and parallel to Ferry Street and Alder Street, connecting 2nd Street and Water Street.

Over the past several months, emergency services have expressed some concern about the clarity of street addresses for a handful of homes east of 2<sup>nd</sup> Street between Ferry Street and Alder Street. According to the City Manager, 102, 104 and 109 Ferry Street have no Ferry Street access and face the unnamed 20' alley. 85 and 95 Alder Street also face the alley and have no access from Alder Street. In consultation with emergency services, Staff is recommending that this portion of the alley be renamed as Commerce Street. The continuation of this alley is named Commerce Street between 3<sup>rd</sup> Street and 4<sup>th</sup> Street.

Oregon Revised Statute 227.120 presents the procedure for renaming a street, and requires a finding from the Planning Commission that the renaming is in the best interest of the city and the six mile area. Upon receiving such a recommendation, the City Council will hold a public hearing on the question.

The applicable statute is included below.



**227.120 Procedure and approval for renaming streets.** *Within six miles of the limits of any city, the commission [a Planning Commission presumably], if there is one, or if no such commission legally exists, then the city engineer, shall recommend to the city council the renaming of any existing street, highway or road, other than a county road or state highway, if in the judgment of the commission, or if no such commission legally exists, then in the judgment of the city engineer, such renaming is in the best interest of the city and the six mile area. Upon receiving such recommendation the council shall afford persons particularly interested, and the general public, an opportunity to be heard, at a time and place to be specified in a notice of hearing published in a newspaper of general circulation within the municipality and the six mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the city council by ordinance shall rename the street or highway in accordance with the recommendation or by resolution shall reject the recommendation. A certified copy of each such ordinance shall be filed for record with the county clerk or recorder, and a like copy shall be filed with the county assessor and county surveyor. The county surveyor shall enter the new names of such streets and roads in red ink on the county surveyor's copy of any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same. The original plat may not be corrected or changed after it is recorded with the county clerk. [Amended by 2001 c.173 §4]*

Once the Council conducts the hearing they would pass an ordinance renaming the alley. Finally, the City would "file" (I interpret this to mean record the ordinance) with the County Clerk, County Assessor, and County Surveyor.

I respectfully request that the Planning Commission consider this issue and, if agreeing that the renaming is in the best interest of the city and the surrounding six mile area, vote to recommend the renaming to the City Council for their consideration.

Sample motion language could consist of something like the following:

*I move to recommend to the City Council the renaming to Commerce Street of the portion of the 20' currently unnamed alley running approximately 715' between and parallel to Ferry Street and Alder Street, connecting 2nd Street and Water Street.*





**The Oregon City Planning Directors Association is pleased to offer its annual Planning Commissioner training to City and County Commissioners and staff. This training is offered in coordination with the 90th Annual Conference of the League of Oregon Cities.**

**The OCPDA is committed to offering affordable educational opportunities to elected and appointed officials. Join fellow citizen planners for this exciting opportunity to discuss planning issues from around the state.**

**Register now to reserve your seat at this training for only \$50.**

## TRAINING TOPICS

**The Art and Science of Conducting a Public Hearing**  
**1:00 pm**

*Effectively running a public hearing and deliberating during the proceedings requires knowledge and skill. Is a hearing legislative or quasi-judicial? If serious conflict arises, can it be resolved or is a "winner-takes-all" decision the only solution? How to balance the testimony of lay citizens against experts? These topics and others are designed to provide valuable information and insights to all Planning Commissioners, whether serving as a regular member or the Chair.*

**5 things every public sector attorney and 5 things every private sector attorney wishes you knew**  
**2:05 pm**

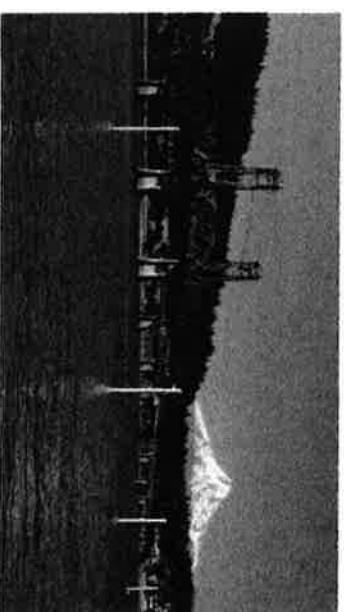
*Join Mike Robinson and Seth King from Perkins Coie as they discuss the top ten items every Planning Commissioner should consider as they deliberate complex land use cases.*

**Refreshments and Break**  
**3:10pm—3:30pm**



**The annual and always colorful Planning commission panel**  
**3:30pm**

*Kirstin Greene of Cogan Owens and Cogan will help to facilitate this candid conversation with a panel of your peers to discuss what's going on in Oregon land use. Join us at this session to hear what other communities are thinking and doing as they navigate the complexity of making sound decisions while considering varying public interests.*



*Mt. Hood - David Herrera / Flickr*

**PLANNING COMMISSIONER TRAINING  
REGISTRATION**

One form per person (duplicate as needed)

**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Organization:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/ Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**Registration Price: \$50 per person**

**Make Checks Payable to: OCPDA**

**Registration Due By: Sept 14th, 2015**

**Mail Checks and Registration to:**  
OCPDA

C/O League of Oregon Cities  
1201 Court St. NE, Suite 200  
Salem, OR 97301

**Questions?**

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Or

Jim Huber: (541)774-2380  
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**Oregon City Planning  
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League of Oregon Cities  
1201 Court St. NE, Suite 200  
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**September 24, 2015  
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