

**JOINT CITY COUNCIL/PLANNING COMMISSION WORKSHOP
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April 20, 2011**

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City of Dundee
Joint City Council/Planning Commission Workshop Minutes
April 20, 2011

Call to Order

Mayor Crawford called the meeting to order at 7:00 PM.

Council and Staff Attendance:

Present: Mayor Crawford, Councilors Miller, Nelson, Pugsley, and Reddell, Planning Commission Chairman Fiedler, Commissioners Baird, Hinson, Lietz, Manning, Mock, and Wymore. Excused Absence: Councilors Adlong and Munson. Staff members: Rob Daykin, City Administrator, Luke Pelz, City Planner, and Debra Manning, Secretary.

Public Attendance:

Mary Dorman, Angelo Planning, Michael Lester, and Naomi Zwerdling, ODOT.

Joint City Council/Planning Commission Workshop:

Mary Dorman, Angelo Planning Group, reviewed the four parts of the plan addressed at the April 6th meeting: 1) the Master Plan, 2) adopting the Comprehensive Plan designation to identify the area as a Riverfront District and new policies, 3) new Riverside District Zone and 4) applying the zone to the area to implement the Master Plan. The City Engineer clarified the water situation that there is room to add only twenty to thirty dwelling units. A zone change with findings of adequate public facilities to serve the development is needed to implement the Riverside District zoning.

Dorman referred to the implementation options memo included in the packet and reviewed the different approaches available. There is an issue with a lack of time remaining in the Riverside Master Plan contract providing for Mary Dorman's services. Staff and the City Attorney recommend option number three.

Options:

1. Proceed with implementation of the Master Plan, apply the zoning, plan designations and adopt the new zone. Disadvantage: difficult to write findings to support a zone change with the water supply constraints.
2. Proceed with the plan designation to identify the whole area as the Riverside District Master Plan, adopt the specific policies and the Master Plan as an ancillary document to the plan and to adopt a new zoning designation for the Riverside District, but do not change the zoning. This option would allow additional time to work on details of the Riverside District zone and the zoning to be deferred for additional work on the water supply. Dorman noted that the State commented on that a golf course cannot be developed in the exclusive farming zone. Disadvantage: It is not clear how this affects the existing zoning and the property owner is not likely to give up their approved zoning if the Riverside zone is deferred.
3. Proceed with applying the Riverside District Plan designation for the area, add new policies to the Comprehensive Plan relating to the area, do not adopt new zone or complete the zone change. Disadvantage the project is not carried as far forward as initially intended.

Commissioner Lietz questioned options to allow the property owner to develop a golf course. Dorman suggested an Urban Growth Boundary (UGB) amendment for the Exclusive Farm Use (EFU) land down by the river. DLCDC asserts state statute will not allow golf courses on high value farm land located in an EFU district. If the land is all within the UGB and designated open space/park recreation, then a golf course as a conditional use would be authorized. Another option is a goal exception, this option is not recommended.

Planning Commissioner Mock referred to the zone change on the property specifying development cannot take place without the facilities in place and asked the disadvantage of applying the same condition to the new map rather than the old map. Dorman replied that once you apply all the urban zoning you can end up in a moratorium situation. City Attorney Ramis confirmed and recommended crafting better language to apply as a condition or include in the text of the zoning district to address water, sewer, transportation, parks, etc. Mock inquired how we would get into a moratorium situation. Ramis offered it is possible for someone to say "the result of the current regulation is I can't build and challenge it as a moratorium". You create moratorium situation if you do not allow development because of services. The moratorium ordinance says you can have a standard that requires adequate facilities. Mock asked what the disadvantage is of putting the new map into place if the property owners, City Council and Planning Commission agree with the new map. C. Pugsley stated the concern is the limited water supply and no plans to address the issue. The City Attorney replied the moratorium argument is the same with either map.

C. Pugsley asked about the difference between options 2 & 3 of the Development Code text amendment. Ramis stated the issue as whether to adopt text and then amend or complete the amendments prior to adoption. You start a new process if you adopt and amend.

Commissioner Mock inquired if you create a conflict by changing the Comprehensive Plan and not the underlying zoning. Dorman addressed the Comprehensive Plan policies by including this area in Riverside District Master Plan Comprehensive Plan designation, with existing zoning retained. The City Attorney advised to explain why there is a difference in Comprehensive Plan. It is acceptable to have a zoning map that is different from the Comprehensive Plan map with an explanation that the zoning map will be converted when services are available to support development. Mock inquired if you have to refer to the Comprehensive Plan for conditional uses within a zone change when you have a Comprehensive Plan and a zone plan with different statements. Ramis replied you have to measure it against the policy language. Mock noted a reference for conditional use in the Comprehensive Plan goals and policies.

Dorman noted that the zoning boundaries for the Edwards' property can be adjusted to match the Master Plan. Councilor Nelson noted that the Edwards' will have to adjust the plan for the bypass. C. Pugsley asked if it is determined that the current water sources would provide for development of the rezoned Edwards' acreage, option 2 would create new zones for them. Dorman stated the zone would have to be adopted in the code. Pugsley clarified that the zones would be defined in Comprehensive Plan and applying to that section when the water is there, not to the entire agricultural area. Under option 3 those zones would not be available to apply.

The Mayor questioned the length of the process. Daykin stated that would be dependent on the length of time and research involved for the Planning Commission to review the issues, including design and building size. It could be a lengthy process paid through the City's funds.

C.A. Daykin inquired if the City would have leverage to negotiate how new water supplies are financed by not applying the zone changes, such as requesting the new owners buy a certain amount of development rights into the upfront cost. Ramis responded that the City has that

leverage with the condition for code requirement that there be adequate facilities and services. Daykin restated that the developer would pay in exchange for connections. Ramis suggested implementation in the code, the Comprehensive Plan language stating no zone changes, no subdivision approvals, and no conditional use approvals until there are adequate facilities and services. Then the developer knows there has to be a partnership to get the conditions met.

Commissioner Lietz asked what if the developer wants to drill their own well for their own water system. Ramis replied it is up to the City to approve.

Mayor Crawford inquired how much planning time would be involved in option 3. Planner Pelz replied the time is subject to the detail, it could involve a Planner full time for six months to complete.

Dorman asked if the City was up against limits on sewer hookups. Daykin affirmed.

DLCD Comments:

- No golf course in EFU land outside of the UGB, if the golf course is on the agricultural zone inside the UGB it is okay
- Questioned how the mix of housing units was determined
- Inquired how the mix of housing units fit with the City's overall needs, in terms of single/multi-family units

Dorman suggested a change of color for residential zoning on the riverside for clarification of the difference between current R-1 zoning in the City and addressing the residential densities.

- Should minimum densities be set if the City does not adopt zoning now
- Questioned the usage for the area south of Vintner's Village
- The size of a golf course

Daykin asked if it would make any difference to the State on the golf course issue if the City changed the name of the zone and district within the city limits. Ramis stated the critical issue is it is outside of the UGB.

C. Pugsley questioned if it would be hard for the City to argue a need for more land. Ramis suggested making the case that more land is needed for recreational uses. C.A. Daykin asked if it should be included in future policies and the Comprehensive Plan amendment to facilitate an UGB expansion. Ramis suggested an adopted policy (not objected to by DLCD) which said in future we need to solve the problem of large scale outdoor recreation, such as a golf course. Daykin asked if it made any difference that the land is not actively farmed. Ramis replied no.

Commissioner Hinson asked if the map would also note low and high density. Dorman asked preference of color change on the map or listing units per acre in the legend to address density. Commissioner Manning supported listing the units per acre, noting the relationship of minimum housing density and the creation of parks. Manning referred to building size issue from the last meeting. Dorman advised that most of the issues related to the proposed zone are tabled, if the new zone is not adopted now. A zone change would be a future action.

C. Pugsley asked if storm water quality policy will be included in the Comprehensive Plan. Dorman stated she will need guidance on policies as the current Public Works standards do not address the issue. Pugsley suggested language relating to the green seams as an active part of storm water management.

Dorman referred to the issue of the Fifth Street extension and suggested leaving it on the map and addressing the issue in text that there is another way to access the district. She suggested

including started tracking notations for both Fifth and Eighth streets. Consensus from the last meeting was to remove the local streets on the Edwards' property. Daykin suggested realignment for the collector street crossing at a different angle as in the 2008 zone change in which Eighth Street curves to the north to cross the Bypass perpendicularly before returning to its original alignment.

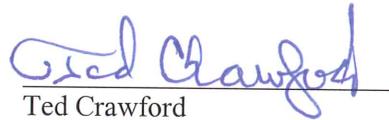
Mayor Crawford referred to page 27 and questioned why completion of subarea C is tied into Fifth Street. Dorman will follow up with Kittleson & Associates. Crawford noted that Table 3 Trip Generations on page 22 needs to be updated.

The majority consensus was in agreement for option 3, noting the project's time constraints.

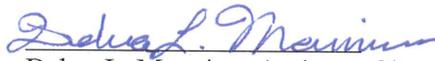
Naomi Zwerdling, ODOT, suggested that the City look into the Transportation and Growth Management grants for code assistance. Daykin stated that was the intent to apply when they have funding after July 1. He noted that the code assistance project will focus on commercial and industrial design standards, which can be applied throughout the City.

Mayor Crawford suggested adding funding for additional planning resources to the upcoming budget. Daykin relayed the intent of funding through an assistance grant and suggested looking to the developers for funding. C. Nelson suggested combining with an UGB expansion.

The public hearings will be in Council Chambers on May 18th with the Planning Commission and then on June 7th with the City Council. The updated version of the Master Plan and the Comprehensive Plan policies will be available prior to the Planning Commission hearing. The joint meeting was adjourned at 8:21 P.M.


Ted Crawford
Mayor

Attest:


Debra L. Manning, Assistant City Recorder