

# CITY OF DUNDEE

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**Meeting:** Planning Commission Meeting

**Location:** Dundee City Hall  
620 SW 5<sup>th</sup> Street  
Dundee, Oregon 97115

**Date:** September 18, 2019

**Time:** 5:30 p.m.

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## **I. Meeting called to order.**

Members present, which consisted of quorum, were Chairman Shannon Howland, Vice-Chairman Dustin Swenson, Char Ormonde, Maria Hinoveanu, Rebecca Minifie, Edward Carlisle, and Eugene Gilden. Planner Caines was also in attendance.

## **II. Public Comment**

There were no members of the public present.

## **III. Approval of Minutes**

It was moved and seconded to approve the minutes August 21, 2019. The motion was passed unanimously.

## **IV. Code Update Work Session #2**

(A copy of the Staff memo is attached to these minutes as reference.)

Planner Caines explained that rather than come back with answers to questions asked in the last meeting it would be more productive to continue with the remaining items that were not able to be discussed at the last meeting. Once the list of code issues had been completed, examples and answers would be brought back at a future meeting.

### Lot Size for Sloped Sites

Planner Caines explained that the land in the sloped area of Dundee was, for the most part, built out. Therefore, the question was whether it was necessary to keep this regulation in the code. If the Commission chose to keep it, she suggested adding language clarifying that it was after grading and not prior to. There was some discussion regarding whether the area along the river, which is very sloped, could be built. It was noted that the area next to the river was in the floodplain and therefore unbuildable. The conclusion of the discussion was a consensus to eliminate the code requirement.

### Setbacks for Flag Lots or Lots without Frontage

Planner Caines handed out a visual aid for reference. There was discussion regarding making the lot have the same setback requirements as a home with frontage, as well as what the purpose

would be of making any of the setbacks larger. The conclusion of the discussion was general agreement to add language to make the setback the minimum side yard setback for the zone.

#### Parking Standards for Single Family Residences

The discussion was regarding requiring driveways in residential zones to be paved. It was noted that any changes to the regulation would be for new development, or new driveways, and all existing gravel driveways would be grandfathered in. It was also discussed whether the applicability standard should be removed or changed. The conclusion of the discussion was a consensus to review the entire section in detail and possibly make a new section specifically for single family homes.

#### Outdoor Storage for Residential Uses

Planner Caines recommended that this regulation be reviewed at the same time Parking Standards was discussed in depth since it was covered by the same chapter. There was discussion regarding flag lots and applicability of the code to lots with no frontage, screening, and fence height. It was also talked about how big an issue violations of this code provision were—was it a solution looking for a problem? The conclusion of the discussion was a consensus that the code did not need to be changed.

#### Code Adjustments

There was a question about whether this code standard was a problem or inconsistently applied. It was answered no. There was a question about whether staff had the option to kick the application up to the Planning Commission if there was a question or issue with the application. The answer was no. It was clarified that the question before the Commission was whether the standard should remain flexible or want to be more linear and controlled. Planner Caines affirmed.

There was a question about whether the adjacent property owners had the ability to comment. Planner Caines stated that the adjacent property owner would be noticed but if the applicant met the criteria then it would be approved. However, the neighbor could come forward with reasons they didn't feel the applicant met the criteria and it could be denied if staff agreed. There was discussion about how many code adjustments an individual could request at one time. General agreement was to leave the regulations as is, but also find a way to control the flexibility perhaps by limiting the quantity or lowering the percentage.

#### Temporary Uses / Temporary Structures in Commercial or Other Zones

It was suggested that yes, temporary uses for commercial activities be allowed in the light industrial zone with a permit; also, yes to exempt the permit requirement for a use that is less than three days, but that perhaps we require notification of some sort. There was discussion regarding enforcement and the possible reworking of the municipal code to provide a fine.

Planner Caines explained that part of the issue staff discussed had to do with the fact that the code was just amended to allow commercial uses in the industrial zone with specific limitations, so why would we allow a temporary commercial use if it did not meet the requirements that were just adopted. There was a conversation regarding outdoor seating and whether the square footage should be reviewed to see if there was a need to require additional parking.

It was decided that the issue should be brought back at a future meeting for more discussion.

#### Private Streets

It was questioned whether this section would apply to the Riverside District. Planner Caines responded that if they were only allowed in PUDs then it would not be allowed in the Riverside District since development would be required to go through the Master Plan process. The code

language was consulted and there was conversation about the confusion of the language. There was some suggestion to change the order of the regulations (switch item 1 with item 2).

Comments were made regarding whether there was enough land left to necessitate the regulation; also, whether private streets should be prohibited. There was a consensus that private streets should not be allowed. Planner Caines gave an example of a development that could only be developed with a private street for access. It was questioned whether an easement could be used for access. Planner Caines responded that an easement could only serve three properties. It was questioned whether there was a limit to how many easements could be issued, and whether they could be granted serially. Planner Caines stated that you couldn't because the easement would have to be out to the street.

The conclusion of the discussion was that there should be no private streets allowed. It was noted, however, that the attorney would be consulted to make sure this was not an unlawful restriction on use of property.

## V. Planning Issues from Commission Members.

Commissioner Ormonde questioned the building on 9th Street. It was noted this property was going through enforcement.

Commissioner Ormonde stated that one of her neighbors was renting their property as an Air B & B and she knew this person did not have a permit. She wondered if the City checked the sites to look for non-compliance. This was answered affirmatively but requested that she contact CA Daykin to make him aware of the home in the event it was missed during routine review.

## VI. Adjournment

Meeting was adjourned.



~~Shannon Howland, Chairman~~

*Maria G. Hinnov*, Vice-Chairman

ATTEST:



Melody Osborne, Planning Secretary

Attachment: 091819 PC Memo