

**Public Hearing
Wolf Creek Grange
June 1, 2020
6:30PM**

Attendance: Mayor Mike Wisdom, Councilors Joyce Lawyer, Mike “Big Mike” Morse, David “Shorty” Schwehr, Logan McCrae, and Jeff Grende. City Recorder Beth Wendt
Others in attendance: Susan Ferguson, Richard Tittle, Tom Thomas, Dick Alexis, Don Clark, Vicki Townsend, Maggie Guthrie, and Dennis & Maja Lafever.

Mayor Mike called the meeting to order and the Pledge of Allegiance was said.

The Mayor opened the Public Hearing regarding an application for a Conditional Use Permit from Susan Ferguson for the A & A RV Park. There was no old or administrative business that needed to be addressed first.

The Mayor asked for ex parte contact regarding the permit. Logan noted for the record that he is a property owner within 300 feet and received advance notice of the hearing.

Beth gave a staff report. The applicant requested a transferable Conditional Use Permit for A&A RV Park and Storage with a proposed additional space, located at 160 D Street. Applicable Zoning criteria are identified in Ordinance 1983-3, Section V, regarding uses in the Industrial Zone and Section X, regarding a Conditional Use Permit. Basic findings show the subject property is in an Industrial Zone. The use is not listed as an outright use, but can be approved for a Conditional Use Permit. The site plan shows the existing RV spaces plus one proposed additional space. The subject property has off street parking for each RV space and water and sewer are already provided to the property. Fire protection is thru contracted service with the North Powder Rural Fire Department. The Conditional Use Permit may be granted provided the criteria in Sections 10.04 (1) and 10.04(3)C are met which include setbacks, minimum area and dimensions for each space as well as street surface and fencing requirements.

Susan Ferguson noted that when she & her husband bought the property there were 5 RV spaces and 2 storage warehouses. In 2006, they applied for a Conditional Use Permit to expand the park and add 7 spaces. The minimum requirements were reviewed and it was determined they were met. There was concern about some drainage problems in the area due to a creek that has since been resolved and an artesian was contained. It was suggested at the time that the Conditional Use Permit be tied to the land use rather than to the owner of the property. The 2006 Council approved the Conditional Use Permit and was to be tied to the land use. However, it was never completed. Susan added that trees had been planted per Council request as well as fixing the water issue. Since she has to go through the permit process again, she requested the addition of one more RV space in the park. There has never been a problem with the storage units and the park has been kept in good shape and the bills have been paid.

Mayor Mike asked for any written or email support of the application. There was none. He then asked for oral support of application. Don Clark was confused as to where the RV Park would be located. Beth explained that it isn't a new park, it is just renewing the Conditional Use Permit for the existing A&A RV Park and Storage. Don was still in support of the application.

Maggie Guthrie has property across the street. The park has been well kept and she felt it would be great to have an additional spot.

Dick Alexis was the original developer of the RV Park. At the time he put it in, it had to be approved by the State Parks & Rec as well as the City. The only thing he had to have was the Conditional Use Permit because it is in an Industrial Zone. The Council was all for it and approved it. As far as he knew there were no regulations for a setbacks or dimensions. Once he received a Conditional Use Permit, he only

had to get a business license. He was confused as to why Sue had to renew her permit but was definitely in support of the application.

There was no further testimony in support of the application.

Mayor Mike asked for testimony in opposition, written or oral. There was none.

Mayor Mike asked if Susan would like to rebut anything said. Sue thought the extra RV space would be an asset and wouldn't be real noticeable but easy to accomplish. She added that she used to work for a City and was familiar with zoning codes and it is unusual for an Industrial zone to have setbacks.

Mayor Mike closed the hearing to public testimony and opened it to the Council for questions and discussion. Joyce wanted to clarify whether the Conditional Use Permit would be in Susan's name or was it going to be transferred to another person. Beth said the request was to have the permit attached to the business on that specific property so that if it sells, the new owner would not have to get another Conditional Use Permit as long as the property is still used as an RV Park. She also clarified that because the use is conditional in an Industrial Zone we have to go by the setback criteria set in the zoning ordinance. Jeff asked if there was a fee for the original Conditional Use Permit. If it was signed off on, there wasn't anything about coming back for another permit. Beth clarified that the only Conditional Use Permit on file was for the additional 7 spaces that were added in 2006. Because there is nothing else, the City needs to update the permit to show there are 13 spaces, if the additional space is approved, and as long as there are no further changes to the existing use, the permit can be transferred to a new owner. Jeff was about charging an additional fee. He felt if the City signed off on it, there shouldn't be an additional fee because the City dropped the ball. Beth noted that it's up to the Council to decide whether or not to charge the additional fee, to make the permit transferable, or to add an additional spot. Jeff wanted to see a small fee for the additional lot, if approved. Shorty asked how the proposed additional space went from not enough area to having adequate space for ingress and egress. Susan explained that she used the original design from 2006 and quickly drew something in so she could get the application submitted. After some thought, she re-did the proposal. She wondered if a moveable RV was considered structural. Shorty said there is a code that requires a certain space between trailers. There isn't a problem with the original spaces but he reiterated that there needs to be adequate ingress and egress. Susan noted that every space has access from a street.

Mayor Mike noted that a motion to accept or deny the application needs to be specific as to reasons for the decision and needs to include all special or additional conditions regarding the decision.

Logan made a motion to approve the A&A RV Conditional Use Permit and it will be tied to the land use and therefore be transferable. It will include the addition of one RV parking space, bringing the total to 13 spaces. The City will waive one half of the \$300 Conditional Use Permit fee. Jeff seconded the motion. Motion carried unanimously with 5 yes votes.

Beth will send notices to everyone who testified and will get a Conditional Use Permit to Susan. All conditions will be stated on the permit, including that it will be transferrable. The permit will be valid as long as no additional changes are made to the approved use.

Meeting adjourned at 7:15PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder