

**CITY OF COOS BAY
PLANNING COMMISSION MINUTES
Tuesday, October 9, 2018 at 6:00 P.M.
Coos Bay City Hall, 500 Central Ave, Coos Bay**

ATTENDANCE

COMMISSIONERS: Chairman Rex Miller, Commissioners Jim Berg, Christine Coles, Chris Hood, John Peery, Bill Davis and Jeff Marineau

ABSENT: None

STAFF: Debbie Erler, Planner 1

SIGNED-IN GUESTS: Shannon Mason, Scott Cooper, Anna, Char Luther, Robert Moore, Rebecca Nichols

CCI/PUBLIC COMMENTS None

APPROVAL OF MINUTES Postponed

PUBLIC HEARING

ITEM A: PROPOSED AMENDMENT TO THE DEVELOPMENT CODE - #187-ZON2018-0029:
Continued review of the portion of the proposed amendments to the City's Development Code under Coos Bay Municipal Code, Title 17, regarding "Accessory Dwelling Units".

Chairman Miller opened the public hearing. Ms. Erler read the disclosure statement and summarized the item.

Commissioner Hood raised the question of using the term compatible when comparing the primary structure to an ADU in the Development Code, as the term compatible is being removed in other areas of the code because it is not specific enough. The general consensus among the Commissioners was to leave the language alone for this proposed amendment.

Chairman Miller asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report; none are voiced.

A member of the Public, Shannon Mason (a local Realtor), spoke up in favor of this proposed amendment. She stated that she speaks with clients on a day to day basis who are in need of housing; she said she is encouraged by this creative way to provide more housing, which is so obviously needed.

Another member of the Public, Scott Cooper, also spoke in favor of the proposed amendment. He also brought up an energy efficient type of construction (dome homes) that he offers as comparable to stick built.

Both members of the Public mentioned that they are in favor of ways to provide housing for those who are lacking housing. Commissioner Berg explained that the proposed amendment does not really answer the dilemma of homelessness, but rather a way to provide another form of housing that will expand the number of rentals available.

Mr. Cooper responded that this will actually help with the problem of homelessness because there are a number of homeless that can afford to rent, but there is a lack of rental options available. He gives examples of scenarios in which the social aspect of affordable housing will be addressed to some degree through this proposed amendment. Further discussion analyzed the cost and availability benefits that this amendment could mean for the local rental market.

Another member of the Public, identified only as Anna, spoke in favor of the amendment; she brought up the problems of homelessness and the high cost of rent. She said that she speaks from the personal experience of being homeless, and she further stated that homeless families and those that are disabled, are in need of solutions to their predicament. Commissioner Berg reiterated that the proposed amendment is not an answer to homelessness in the area, that more profound measures are necessary for addressing those issues.

Ms. Erler stated that the State is working on development standards for tiny homes, as well as accessory dwelling units, which are two very different types of housing. The accommodations for ADUs have been the main focus, but revisions to accommodate for tiny homes is an issue that is also in the works.

A member of the Public, Char Luther, mentioned a recent housing study that she was involved in, and wanted to acknowledge that ADUs are restricted from being used as Air BnBs or VRBOs (short-term rentals); she gave statistics about the increase in this market from 2010 to 2016 and how it has impacted long-term rental availability (former long-term rentals have converted to short-term rentals, contributing to the lack of rental housing available). She also brought up the Aging-in-Place composition of the local community, and that ADUs can provide a type of housing that fosters community.

A member of the Public, Robert Moore, thanked the Planning Commission for their work; he was also part of the housing study Ms. Luther mentioned. He stated that this proposal will serve as one piece of the puzzle in solving the local housing shortage. He also brought up vacant houses that stand derelict and are often trespassed by squatters. He offered this issue as another important problem that must be tackled, so that these homes can be put back on the market. Commissioner Hood asked about the ownership of these vacant properties. Mr. Moore stated that the ownership of these properties can be part of the problem, as a lot of them are owned by people living outside of the area, or financial institutions that have foreclosed on mortgages. Commissioner Berg said that these type of properties oftentimes sit empty and neglected on financial institution inventory lists for years, where they tend to decline in value. Ms. Erler said that the City Code Enforcement Officer has a Vacant Housing List, and some homes on the list have been deemed sub-standard or dangerous; she has sent letters to these property owners during the abatement process that can include fines to uncooperative property owners and possible City directed abatement actions, which can be a lengthy process.

A member of the Public, Rebecca Nichols, thanked the Commission for their work. She intends to apply for an ADU for her property, as she already has a structure behind her home to use for this purpose. Commissioner Berg asked if existing units that are essentially ADUs can be classified that way under the new regulations. Ms. Erler responded that they can, and will be reviewed using the same process as for a proposed ADU.

Chairman Miller asked if there is anyone who would like to speak in opposition; no opposition is offered. Chairman Miller closed the public hearing.

The Commissioners discussed the issue of vacant homes and what ordinances might be necessary to properly deal with the problem. Ms. Erler discussed the current process the City employs through Code Enforcement to provide abatement for the homes that present health and safety concerns.

Commissioner Hood asked if there is an allowance in the process of reviewing an ADU application, that would provide for a review by the Planning Commission of any applications in which there is Community input submitted, other than going through an appeal process. Ms. Erler responded that Staff has the discretion to refer an application to the Planning Commission when it is evident that it may have significant impacts. Commissioner Hood expressed concern that there be a way for the Commission to review, in a public and transparent way, those applications that meet with Community resistance. Ms. Erler stated that applications that appear at the outset to be possible public concerns, can be elevated to a higher Type classification, and be presented to the Planning Commission before written notice is given, and the appeal period and process comes into play. Commissioner Hood asked that Staff keep the Commission well informed throughout the process of integrating these new regulations, of comments and objections that are voiced.

- MOTION:** Commissioner Coles – Accept the ADU section of our Ordinance, particularly in response to our draft proposed amendments to the Development Code, Coos Bay Municipal Code, Title 17, which is listed as the purpose, definitions, and exemptions, and design standards; and recommend to the City Council the approval of the whole proposed amendment package.
- SECOND:** Commissioner Marineau
- VOTE:** Unanimous

Ms. Erler stated that this item will go before the City Council on November 6, 2018, with no additional notice necessary.

ITEM B: PROPOSED AMENDMENT TO THE DEVELOPMENT CODE - #187-18-129:
Proposed amendments to the City’s Development Code under Coos Bay Municipal Code Chapter 17.325 “Conditional Use”.

Chairman Miller asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report; none are voiced.

Chairman Miller opened the public hearing. Ms. Erler read the disclosure statement and summarized the item. She stated that during a recent appeal, it was brought to the City’s attention that the ordinance involving “Conditional Use” was not specific enough, that it was too arbitrary. This prompted the City to engage the services of John Morgan, of Morgan CPS, to propose revisions to that particular chapter of the Development Code. His memo and proposed revisions were received on August 6th. A second party also reviewed this Ordinance; the existing Ordinance and their comments are part of the Commission Packet. Ms. Erler proceeded to present the comments and Staff’s response to the recommendations. One of the recommendations the consultant offered was that a Pre-Application Conference be required; Ms. Erler stated that Staff recommends the Pre-Application Conference be an option, at the applicant’s request.

Ms. Erler summarized the remainder of the staff recommendations and provided examples as needed for further clarification of the process. In cases where major modifications would occur to the application, she explained that the applicant would need to apply for a new Conditional Use, and the prior approvals would carry over to the new application. Ms. Erler provided further clarification on parts of the code that are stricken, such as "aesthetic considerations." It was proposed to strike limits on number and size of signs and building heights and coverage because that criteria is addressed in the zone restrictions.

MOTION: Commissioner Coles – Approve the revised Conditional Use amendments and recommend it to the City Council for approval.
SECOND: Commissioner Marineau
VOTE: Unanimous

ADMINISTRATIVE:

Ms. Erler stated that next month, the Planning Commission will hear a façade improvement item, as well as an update on the Estuary Management project.

COMMISSION COMMENTS

Commissioner Coles stated that she will not be in attendance next month, as she will be in Guatemala. She offered a reminder of the college's (SWOCC) talent search, Upward Bound programs, which mentor at-risk youth and youth with the potential to be the first college graduate in their family (6th grade through college age). She said that also upcoming is the 3rd Annual Ghost and Graveyard Tour.

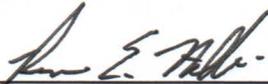
Commissioner Marineau remarked that he has been on the Planning Commission for a long time, and has never before been involved in back-to-back work sessions during a Planning Commission meeting.

STAFF COMMENTS

ITEM C: UPCOMING TRAINING OPPORTUNITIES

Ms. Erler reminded the Commissioners of the upcoming training on October 25th and 26th, and she has registered those Commissioners who expressed an interest in attending. She said that those who attend will bring back information to the rest of the Commission following the training. She said that the State also provides a free online training.

ADJOURNMENT 7:56 p.m.



Rex Miller, Chairman
Planning Commission
City of Coos Bay
Coos County, Oregon

ATTEST: 
Debbie Erler, Planner 1

APPROVED AS SUBMITTED 01/12/2021