



Covered Bridge Capital of the West

City of Scio

P. O. Box 37

Scio, OR 97374

Phone: 503-394-3342

Fax: 503-394-2340

Scio Planning Commission – In Person & Electronic Meeting

Scio City Hall - 38957 NW 1st Avenue, Scio, Oregon

The COVID-19 Guidelines permits in person city meetings. The Scio Planning Commission may attend in person or via ZOOM. The public may attend in person so long as you call in advance to secure a seat due to the limited amount of seating available.

The public can join the Planning Commission meeting by choosing one of the following options:

<https://us02web.zoom.us>

Meeting ID: 899 4294 6291 Passcode: pKBj9n

or phone: 1-253-215-8782

Meeting ID: 899 4294 6291 Passcode: 880892

The public may submit public comments on agenda items by email to cmartin.cityofscio@smt-net.com prior to 4:00 p.m. on Wednesday, June 30, 2021.

AGENDA

June 30, 2021 (7:00 PM)

Chairman - Beau Buganski

Commissioner Richard Androes

Commissioner Katrina Clouse

Commissioner Ellie Ferguson

Commissioner Ron Loewen

Commissioner Nicole Zedwick

Vacant

CALL TO ORDER **** ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES: April 28, 2021 Minutes

BUSINESS:

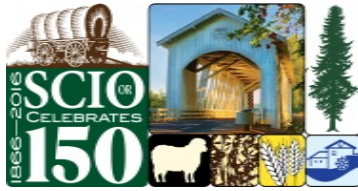
1. PL2021-04 – Melissa Clayton – Property Line Adjustment
10S01W07DC, Tax Lots 1603 & 1605
Presented by: Dave Kinney, Planning Consultant

2. Planning Commission Vacancy

ADJOURNMENT:

NEXT SCHEDULED PLANNING COMMISSION MEETING(S)

- Wednesday, July 28, 2021, 7:00 p.m. Scio City Hall



**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, April 28, 2021**

7:00 PM

COMMISSION MEMBERS PRESENT: Chairman Beau Buganski attended in person, Commissioners Richard Androes, Katrina Clouse, Ellie Ferguson, were all present via video.

STAFF PRESENT: Planning Consultant Dave Kinney, City Engineer Ryan Quigley and Administrative Assistant Cathy Martin were present in person

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:2 p.m.

ROLL CALL: Roll call was taken with Commissioners Ron Loewen and Nicole Zedwick excused. There is one vacancy.

AUDIENCE MEMBERS IN ATTENDANCE: Derrick Mottern, SMTA, and Brian Vandetta and Laura Laroque, Udell Engineering.

APPROVAL OF MINUTES: The minutes of the February 24, 2021 meeting were reviewed.

Commissioner Clouse moved, Commissioner Androes seconded, to approve the February 24, 2021 minutes as presented. A verbal and hand vote was taken. Motion passed 4/0.

CORRESPONDENCE: A notice of pending land use action from the Linn County Planning & Building Department was received. The property located on Robinson Drive is adjacent to the city limits. The applicant was requesting a lot line adjustment. Commissioners did not have any concerns with the proposal, no comments will be submitted to Linn County.

BUSINESS: Chairman Buganski stated that he would like the SMTA Property Line Adjustment agenda item to be handled first.

**1. PL2021-03– SMTA – Property Line Adjustment
10S01W18AD, Tax Lots 5100, 5200 and 5300
Presented by Dave Kinney, Planning Consultant –**

Planning Consultant, Dave Kinney, stated that he drafted the letter of decision on the Property Line Adjustment. and his recommendation to the city is to approve the consolidation of the three parcels owned by SMTA on SE 2nd Avenue into one parcel. His only concern is that was noted was regarding the City Sewer line that crosses the property. He stated if there is not an existing easement one should be included in the map and recorded.

Derrick Mottern, SMTA, gave a brief overview of the request. He asked when the easement should be recorded. Kinney stated that the sewer easement should be shown on the re-plat map that is filed with the county surveyor's office. Mr. Mottern stated that they intend to build a steel building for the service trucks with an additional wash bay.

Mr. Kinney stated that his recommendation would be for a motion to concur with the approval of the property line adjustment. Chairman Buganski stated that it seemed pretty straight forward, that the only thing being done was removing interior lot lines to create one lot. Commissioner Clouse agreed with that statement.

Commissioner Clouse moved, Commissioner Ferguson seconded, to approve the application number PL2021-03 by SMTA for a Property Line Adjustment. Motion passed 4/0.

**2. Public Hearing: PL2021-02 – Randy Nelson/Iceland Construction – Subdivision Replat – 10S01W18AC, Tax Lot 00900
Presented by Dave Kinney, Planning Consultant**

Chairman Buganski opened the public hearing at 7:10 pm. Commissioners were asked to declare any Ex Parte contact, Bias, or Conflicts of Interest that they may have regarding the application. Commissioners Androes and Ferguson stated that they did not. Commissioner Clouse stated that she did not, however, she noted that she is a realtor for the record. Chairman Buganski stated that he was friends with the applicant but did not discuss the project with the applicant.

Planning Consultant Dave Kinney reviewed the staff report. He stated that the application was to re-plat Block 6 of the South Addition to Scio, to remove lot lines and create four 10,000 square foot lots. He made a note that the original conditions listed in the staff report failed to include the requirement for a Non-Remonstrance Agreement to be executed by the Property Owner, if the planning commission approves granting a waiver of the street improvements on SW 3rd Avenue and the requirement for a Balanced Cut & Fill on the property.

Laura Laroque, Udell Engineering, representing Iceland Construction, presented a PowerPoint presentation regarding the proposal. See Attached. They stated that they agree with all of the conditions of approval proposed by the Planning Consultant.

Kinney added that some adjustments have been made to the original submittal to reflect staff recommendations, i.e. pavement width on Beech Street to included two full travel lanes, the walkway was also recommended to be narrowed down on Beech Street to keep people from parking on it, and to extend the concrete sidewalk on 4th Avenue from Cherry Street to Beech Street.

City Engineer Ryan Quigley, reviewed the streets/sewer system, specifically the Beech Street sewer line, which may cause some changes to the final design. There is some unknown information. There is a line that was discovered that connects into the manhole at

SW 3rd and Beech that was not on the Sewer maps. It is unknown how far that this extends south of the intersection and its condition. There is concern that the Beech Street line was the highest priority project area for I&I repairs. If the city allows connection to this line, then there may be some mitigation work that is needed to justify adding connections to this line. Staff can work through this process.

Kinney reminded the commission that the final design may vary from the proposal presented tonight as the city engineer will review and approve the final infrastructure plans. Kinney stated that he has two minor adjustments to the conditions of approval. 1) The property owner should execute and record in the Linn County Deed records a non-remonstrance agreement for future sidewalk and curb improvements along SW 3rd Street from Beech to Cherry streets and 2) Require a “Balanced Cut and Fill” for the drainage improvements.

Commissioner Clouse asked if the subdivision would only be for duplexes. Martin stated that stipulation allowing only duplexes or single family residences was placed on the property at the time of approval of the zone change from SFR to MFR. Kinney stated that the maximum density on the lots is two units.

Chairman Buganski stated that he appreciated the inclusion of the pedestrian flow and safety improvements.

There were no audience members present to testify in favor or in opposition to the application.

Buganski closed the public hearing at 7:27 pm.

Commissioner Androes moved, Commissioner Clouse seconded, to approve the subdivision application of Iceland Construction, Inc. and to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission’s deliberations and adopt the conditions of approval for File No. 2021-02. Motion passed 4/0.

- 3. Planning Commission Vacancy** – Commissioner Androes asked how long a person needed to be a resident of the city before they could serve on the planning commission. Administrative Assistant Martin stated that the person needed to be a resident for a minimum of 12 months.

Next meeting is tentatively scheduled for May 26, 2021. Martin stated that it will only be held if there is an application which would require a public hearing, at this time the city does not have any applications pending. She will advise the planning commission by May 7th regarding a

Meeting Adjourned at 7:30 p.m.

Cathy Martin, Administrative Assistant



City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

May 26, 2021

Melissa Clayton
37095 Richardson Gap Road
Scio, OR 97374

RE: Planning File 2021-04
Property Line Adjustment
Assessor's Map 10S 01W 07DC, Tax Lots 01603 and 01605

Dear Ms. Clayton:

The property line adjustment proposal to adjust the boundary for two parcels owned by Melissa Clayton on 38923 NW 4th Avenue & 38938 NW Clayton Place in Scio, as shown on Map 1, complies with the City's application requirements. In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will hold a regular meeting on June 30, 2021 at 7:00 p.m. at City Hall to consider your application.

I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

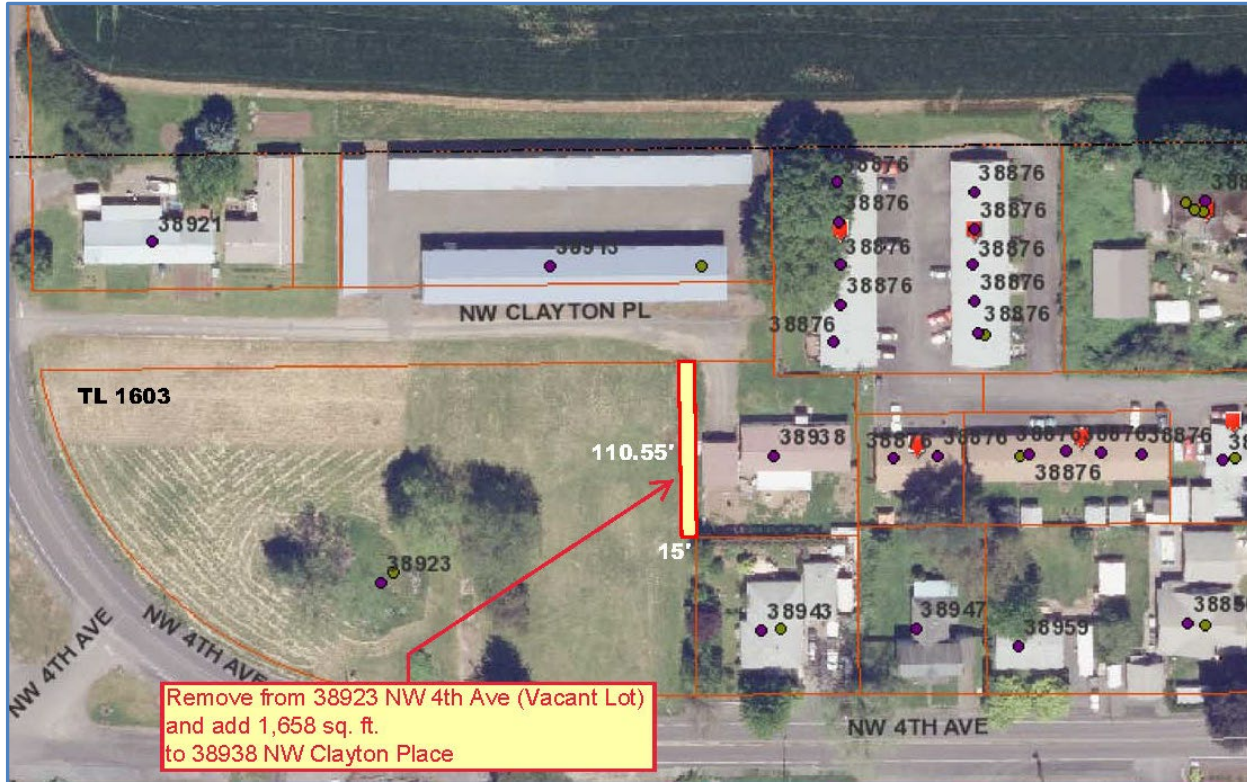
A. Property Line Adjustment Proposal

Melissa Clayton filed this application requesting the Scio Planning Commission approve a property line adjustment to adjust the size of two parcels she owns at 38923 NW 4th Avenue (Parcel A) and 38938 Clayton Place (Parcel B) in Scio. She proposes to transfer a 15' wide by 110.55' long strip of land from Parcel A to Parcel B. This will provide better access to the rear of Parcel B from Clayton Place. Table 1 summarizes the proposal. Map 1 provides a map showing the proposed strip of land to be transferred to Parcel B.

Table 1
Melissa Clayton
Proposed Property Line Adjustment

Parcel	Assessor's Map and Tax Lot	Property Owner	Existing Lot Size (sf)	Area Removed (sf)	Area Added (sf)	Adjusted Lot Size
A	10S 1W 07DC TL 01603 39923 NW 4 th Avenue	Melissa Clayton	73,660 sq. ft. 1.69 acres	(1,658)	---	72,002 sq. ft.
B	10S 1W 07DC TL 01605 38938 Clayton Place	Melissa Clayton	10,890 sq. ft. 0.25 acres		1,658	12,548 sq. ft.
Totals				(1,658)	1,658	

Map 1
Property Line Adjustment for Melissa Clayton
38923 NW 4th Avenue and 38938 NW Clayton Place, Scio, Oregon



B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2. If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels

Findings:

Minimum lot size and lot dimension requirements are shown in Table 2. The existing tax lot 1605 (38938 NW Clayton Place) does not meet the current lot frontage requirements on NW Clayton Place. The new Parcel B will add an additional 15' frontage on NW Clayton Place. Table 2 shows the proposed lots will meet the minimum lot size and dimension requirements.

Table 2
Minimum Lot Size and Dimension Requirements

Parcel	Assessor's Map and Tax Lot	Zone	Minimum Lot Size (sf)	Proposed Lot Size	Required Lot Width/ Frontage	Proposed Lot Width / Frontage
A	10S 1W 07DC TL 01603 39923 NW 4 th Avenue	R-2	10,000 sf	72,000 + sf	80'	516'
B	10S 1W 07DC TL 01605 38938 Clayton Place	R-1	10,000 sf	12,548 sf	60'	65'

The proposed lot complies with Criteria 1 and Criteria 2.

Criteria 3: The amended lot lines do not encroach on the location of sewage disposal or water supply lines or easements

Findings:

Parcel A (38923 NW 4th Avenue) is a vacant parcel. At time of development new sewer and water utilities will be required.

Parcel B (38938 NW Clayton Place) is connected to the City water and sewer systems. The 15' x 110' area being transferred to Parcel B does not include any city water or sewer utilities. The modified lot line does not encroach on the location of city water lines or the sewer main.

The application does not show any existing easements are affected. The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. If the Planning Commission approves the property line adjustment a new partition plat survey must be prepared and recorded to eliminate the prior subdivision lines. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: Linn County's aerial photography shows there may be a building encroachment by an outbuilding behind the home at 38943 NW 4th Avenue. The final survey will need to show either that (1) the aerial is incorrect, or (2) the encroaching building is removed, or (3) the property line will be adjusted to avoid the encroaching building. The proposal can comply with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: The applicant is proposing to sell Parcel A for future development. At this time there are no plans toward subsequent partitioning or subdivision of the lots. The proposal complies with Criteria 6.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>LC Assessor</u>	
		<u>Account #</u>	<u>Owner</u>
T10S R1W 07DC	01603	833261	Melissa Clayton, 37095 Richardson Gap Rd., Scio, OR 97374
T10S R1W 07DC	01605	833277	Melissa Clayton, 37095 Richardson Gap Rd., Scio, OR 97374

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

Findings: The applicant/property owner, Melissa Clayton, has signed the application form. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment application was submitted by the Melissa Clayton to adjust the property line between 38923 NW 4th Avenue and 38938 NW Clayton Place in Scio, Oregon.

Based upon the above stated findings and conclusions, the City's Planning Consultant, acting as its Zoning Official, concludes the Melissa Clayton's proposal for a property line adjustment complies with all applicable requirements and decision criteria of the City of Scio, Oregon and hereby **recommends the application be approved, as shown on Map 2, attached hereto, subject to the following conditions of approval.**

D. Conditions of Approval:

All conditions of approval must be completed by July 31, 2022. If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City.

1. A licensed surveyor in the State of Oregon shall prepare and record a property line adjustment survey or replat with the Linn County Surveyor that complies with ORS 92 requirements.
2. No Building Encroachment. The applicant's surveyor shall provide the City with evidence that there is no building encroachment or that any existing building encroachment has been resolved.
3. Final Plat Maps: A copy of the recorded property line adjustment survey shall be provided to the City of Scio and included in the land use file within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at its meeting on June 30, 2021. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

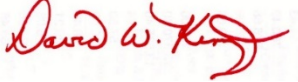
1. Approve the property line adjustment and conditions of approval (as recommended).
2. Approve the property line adjustment and conditions of approval (with modifications).
3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,



David W. Kinney
Planning Consultant for the City of Scio

Cc: Eric Braa, 39472 Miller Cemetery Road, Scio, OR 97374

Enclosure: Map 2 – Planning File 2021-04, Approved Property Line Adjustment Map



David W. Kinney
Planning Consultant for the City of Scio
 791 E. Hollister St., Stayton, OR 97383
 Office: (503) 769-2020 Cell: (503) 551-0899
 Email: dwkinney@wvi.com

Map 2

**Approved Property Line Adjustment for Melissa Clayton
38923 NW 4th Avenue and 38938 NW Clayton Place, Scio, Oregon**

