



**Molalla Planning Commission  
MINUTES  
Molalla Adult Center  
315 Kennel Ave., Molalla, OR  
97038  
October 2, 2019**

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The October 2, 2019 meeting of the Molalla Planning Commission was called to order by Chair Rae Lynn Botsford at 6:32pm. This was followed by the flag salute and roll call.

**COMMISSIONER ATTENDANCE:**

Chair Rae Lynn Botsford – Present  
Commissioner Steve Deller – Present  
Commissioner Doug Eaglebear – Present  
Commissioner Debbie Lumb – Present  
Commissioner Jennifer Satter – Absent  
Commissioner Jacob Giberson – Present  
Commissioner Connie Farrens - Absent

**STAFF IN ATTENDANCE:**

Alice Cannon, Planning Director - Present  
Dan Zinder, Associate Planner – Present  
Julie Larson, Planning Assistant – Present

**PUBLIC COMMENT ON MATTERS NOT ON THE MEETING AGENDA:**

No one offered public comment.

**MINUTES:**

**Chair Botsford** confirmed with PC that they have received and reviewed the minutes for August 7, 2018. Chair Botsford calls for a motion to approve the minutes. A motion to approve the minutes was made by Commissioner Eaglebear, a second was received by Commissioner Giberson. Motion passes 5-0.

**PUBLIC HEARING:**

- Consideration of an amendment to Molalla Municipal Development Code Section 17-4.3.030.A (File No. DCA01-2019) – A change to the procedure for processing partition applications from a Type III Public Hearing procedure to a Type II Administrative Decision Procedure, appealable to Planning Commission.

**Chair Botsford** called the public hearing to order and read the hearing script into the record.

#### **CITY STAFF REPORT:**

**Planning Director Cannon** gave the staff report which can be found in the meeting packet. The staff report includes the summary of proposed changes, rationale for proposed changes, criteria for review, and staff analysis. City Staff recommends that partition applications be processed at the staff level, except in situations where a staff decision is appealed during the public notice process. Processing partition applications at the staff level would allow for an expedited process, making partition applications on smaller land divisions of three or less lots more efficient and easier. Development from these partitions would still be required to adhere to the same development standards as larger subdivisions. Staff has found that most neighboring cities and Clackamas County review partitions through a Type II procedure.

**Planning Director Cannon** stated the City is encouraging the PC to approve the amendment.

#### **PUBLIC COMMENT:**

No public comment received.

#### **QUESTIONS FROM PLANNING COMMISSION:**

**Commissioner Deller** asked about public involvement and if there was a lot of public interest in a partition, would it be escalated to a Type III?

**Planning Director Cannon** stated that if a staff decision is appealed during the public notice process, yes, the partition application would be escalated to a Type III and brought forth to the Planning Commission.

**Commissioner Giberson** asked who can appeal and land use decision

**Planning Director Cannon** answered that the applicant and landowner have appeal rights.

**Commissioner Giberson** asked if there is a cost difference between a Type II and Type III application?

**Planning Director Cannon** said that there is. A Type II is approximately \$1,000.00, while a Type III can cost upwards of \$1,700.00.

**Chair Botsford** inquired about the language on page 8 of the staff report. Asked if this change is consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules.

**Planning Director Cannon** stated that the process would be consistent with the State goals, as well as the City of Molalla's Comprehensive Plan. Director Cannon also noted that many neighboring cities and Clackamas County process partition applications as a Type III. She went on to present that Canby was one of the only cities she could find in her research that still processes partitions as a Type III.

**Commissioner Giberson** asked why Canby still process this way?

**Planning Director Cannon** answered that she wasn't sure and is assuming that Canby is processing partition applications with the Planning Commission the way Molalla has done for years. It could be a unique situation to Canby or a hold-over from a time when Planning Commissions made more routine decisions.

#### **PUBLIC COMMENT:**

No one offered public comment.

**Motion** was made by Commissioner Giberson to approve the consideration of an amendment to Molalla Municipal Development Code Section 17-4.3.030.A (File No. DCA-2019) – A change to the procedure for processing partition applications from a Type III Public Hearing procedure to a Type II Administrative Decision Procedure, appealable to Planning Commission. Second by commissioner Lumb. Motion passes 5-0.

#### **DISCUSSION ITEMS:**

##### **Annexation:**

**Planning Director Cannon** stated that the first public hearing for the annexation application at HWY 211 & HWY 213 is scheduled to take place November 6, 2019, at the next Planning Commission Meeting.

(Note: That hearing has since been postponed to December 4, 2019).

##### **Code Amendments:**

**Planning Director Cannon** advised the Planning Commission that she is currently looking at cleaning up some typos found in the recently adopted development code.

##### **Food Cart Ordinance:**

**Planning Director Cannon** shared a PowerPoint presentation with the Planning Commission that highlighted the results of the recent community outreach survey staff conducted. The survey concluded that of the 238 citizens that participated, 97.46% supported food carts within the city. It also concluded that while most citizens support food carts in a pod style, most want to ensure that the brick and mortar restaurants within the city are still supported. Furthermore, citizens (through survey responses) have said that they want food trucks/carts to have similar code and health requirements. Director Cannon concluded with informing the Planning Commission she would be sharing the presentation with Molalla City Council in late October.

##### **Hemp:**

**Planning Director Cannon** brought to the Planning Commission's attention several recent resident complaints regarding odor and noise from CHTC Inc. which operates on Industrial Way in Molalla's industrial zone. Director Cannon told the Planning Commission that the City has met with the owner and operator of CHTC Inc. and together are working to resolve the matter.

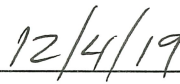
**REPORTS AND ANNOUNCEMENTS:**

There were no report or announcements.

**ADJOURNMENT:**

Motion was made by Chair Botsford to adjourn the meeting, 2<sup>nd</sup> received from Commissioner Eaglebear. Meeting was adjourned at 7:25pm.

  
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Chair, Rae Lynn Botsford

  
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Date

ATTEST:   
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Alice Cannon, Planning Director