

**CITY OF SILVERTON
PLANNING COMMISSION MINUTES**

7:00 P.M.

APRIL 9, 2019

The Planning Commission of the City of Silverton met at the Silverton Community Center on April 9, 2019 at 7:00 p.m. with Chairman Flowers presiding.

I. ROLL CALL:

Present	Absent	
<u> X </u>		Chairman Clay Flowers
<u> </u>	<u>Excused</u>	Vice-Chairman Gus Frederick
<u> X </u>		Morry Jones
<u> X </u>		Chris Mayou
<u> X </u>		Rich Piaskowski
<u> X </u>		Tasha Huebner
<u> X </u>		Peter Matzka

STAFF PRESENT:

Community Development Director, Jason Gottgetreu and Planning and Permit Assistant, Kate Schlee.

II. APPROVAL OF THE MINUTES FROM THE MEETING HELD MARCH 12, 2019:

Commissioner Mayou moved to approve the Minutes of March 12, 2019 as presented. Commissioner Jones seconded the motion and it carried unanimously.

III. BUSINESS FROM THE FLOOR:

There were no comments.

IV. AGENDA ITEMS:

4.1 Development Code Amendment DC-19-01

Chairman Flowers opened the public hearing to order at 7:02 p.m., and asked if any members wished to abstain, for declarations of ex parte contacts and conflicts of interest. No Commissioners abstained, declared ex parte contacts or conflicts of interest.

Chairman Flowers reviewed the Public Hearing procedures and asked for public testimony. There were no audience members present.

Community Development Director Jason Gottgetreu used a PowerPoint presentation to explain

the background and processes associated with the proposed legislative amendment to the Development Code for the allowed uses in Residential Districts SDC 2.2.110.

Commissioner Matzka asked where the logo restriction for equipment originated. Director Gottgetreu explained that it is a carry-over from a related, but different standard where cities have been looking at regulating these types of facilities within the right-of-way. The types of antennas being discussed are not proprietary to any specific service so a proposed vendor would have to add their logo to the antenna. Commissioner Matzka expressed that he hadn't thought of it in terms of the right-of-way and that he supports the restriction.

Commissioner Mayou asked if this topic was on the city council agenda. Director Gottgetreu explained that there are two tracts that are being worked on simultaneously. The current topic, which is smaller facilities located on private property. The council is considering somewhat larger facilities within the right-of-way. The FCC adopted an order that is forcing the city's hand regarding what they can and cannot regulate within the right-of-way for the 5G roll-out.

Commissioner Mayou proposed that on Number 10 the statement be added to say "and which are not intended for 5G service."

Commissioner Piaskowski asked if the distances listed for the 45 decibel restriction are consistent with other noise ordinances. Chairman Flowers made a point that the statement should be 45 decibels within any adjacent residential dwelling.

Commissioner Piaskowski also asked for clarification as to where the five foot height is measured. Director Gottgetreu answered that the five foot height given is the overall height of the antenna including the support equipment, regardless of where on the structure the antenna is located.

Commissioner Huebner asked if the noise restrictions were necessary. Director Gottgetreu responded that if the noise requirement was not included in the proposed section the chapter eight nuisance section of the code would still apply. There was a discussion about the process if there was a noise complaint.

Applicants Testimony: None

Public Testimony: None

Proponent Testimony: None

Opponent Testimony: None

Neutral Testimony: None

Written Testimony: None

Rebuttal:

Commissioner Mayou moved to close the public hearing. Commissioner Piaskowski seconded the motion. Chairman Flowers closed the Public Hearing at 7:29 p.m.

All members were in favor of the added language for Number 10.

Commissioner Mayou moved to recommend to the city council approval of the proposed development code amendment. Commissioner Matzka seconded the motion and it carried 6-0.

Amendments to conditions:

The statement be added to Number 10 stating “and which are not intended for 5G service.”

V. REPORTS AND COMMUNICATIONS

Director Gottgetreu reminded the commission members that the SEI Ethics Form is due on April 15th. Commissioner Piaskowski still needs to complete the form.

The city council is planning another discussion with the Citizen Involvement Committee, which is technically the planning commission, during a joint work session on Tuesday May 28th at 7:00 p.m.

Currently, there is nothing scheduled for the regular meeting on May 14th.

Oral arguments are scheduled for next week by the Land Use Board of Appeals on the James Street appeal.

ODOT presented to the city council the project cost increases associated to the sidewalks and bike lanes between Peach and Pioneer streets along south Water.

The consultants working on the Eugene Field project are preparing high level draft concepts to present to city council. They will probably go before the planning commission in June or July. For now, the site will be hydro-seeded.

ADJOURNMENT

The Meeting adjourned at 7:40 p.m.

Respectfully submitted,

/s/ Kate Schlee,
Planning and Permit Assistant