

JACKSON COUNTY PLANNING COMMISSION

PUBLIC MEETING

June 12, 2014

MINUTES

MEMBERS PRESENT: Don Greene
Richard Thierolf Jr.
Craig Prewitt

MEMBERS EXCUSED: Joel Ockunzzi
Brad Bennington

GUESTS PRESENT: None

STAFF PRESENT: Director Kelly Madding
Office Assistant Laura Marshall

The meeting was called to order by Chair Don Greene at 9:10 a.m. The roll was called.

APPROVAL OF MINUTES:

A motion was made by Commissioner Richard Thierolf and seconded by Commissioner Craig Prewitt to approve the April 24, 2014 meeting minutes. The motion was approved by a unanimous "Aye" vote.

POTENTIAL BUSINESS FROM THE AUDIENCE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

TRAINING:

Kelly Madding, Planning Director conduct training on the following topics:

QUASI-JUDICIAL V. LEGISLATIVE PUBLIC HEARING PROCESS – The following topics were discussed:

- How quasi-judicial public hearing process is different from a legislative public hearing process. Answered questions from the Planning Commissioners
- Due Process Requirements:

- Ex parte contacts
- Example of Legislative – floodplain maps.
- Example of quasi-judicial – private land use actions.
- Notice Requirements
- Time Limitations – Decision due within 150 days after deemed complete. Applicants can file a writ of mandamus if a decision is not issued within 150 days. 120 day time limit for applications within an urban growth boundary.
- Public Hearing timing constraints:
 - Establishing the public record
 - Applicant or opponents can request that the record be left open or continue the public hearing if new information has been presented.
 - Three seven day periods: Day's 1-7 record is open to all for comments; Day's 8-14 no "new evidence" is to be submitted, new evidence can be addressed; Day's 15-21 reserved for applicant only.

FINDINGS OF FACT – The following topics were discussed:

- Components of making a land use decision: Application; relevant standards & criteria; facts relied upon; and explanation of the justification (Findings) of the decision
- What are Findings – statements that indicate why a decision has been made by the decision maker.
- Why Findings – originated with the 1973 Fasano case
- Legal Requirements:
 - Findings must be written
 - Findings may incorporate other documents by reference
 - Applicable Criteria & Standards must be Identified
- Conflicting Evidence

- Common Deficiencies
- Bottom Line – Apply the law and make findings of fact to form an impartial recommendation

BUSINESS FROM THE BOARD OF COMMISSIONERS:

None

BUSINESS FROM COMMISSION MEMBERS:

Commissioners thanked Kelly for her training presentation

BUSINESS FROM THE PLANNING DIVISION:

Kelly announced that on June 2, 2014 the new Accela program went live, which is a state based program.

Kelly talked about the City of Central Point's UGB expansion and will be discussing in more detail at a future date.

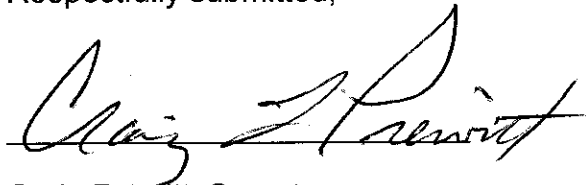
SORP program – meeting on Monday, June 16th

Agricultural Task Force – proposed some amendments to irrigation districts

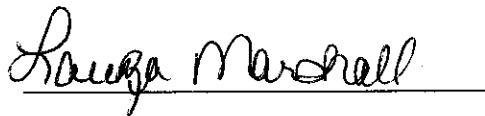
No regular meeting is scheduled at this time

There being no further business, the meeting was adjourned at 10:45 a.m.

Respectfully submitted,

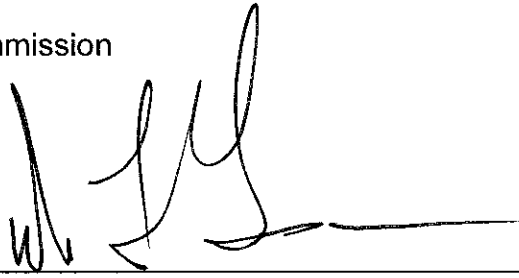


Craig Prewitt, Secretary



Laura Marshall, Recording Clerk

Approved this 28th day of August, 2014.
JACKSON COUNTY PLANNING COMMISSION



Don Greene, Chair

Note: An audio CD of this public hearing can be ordered and purchased from Development Services for a nominal fee. In order to listen to the CD, you will need access to a computer with an internet connection to download (free of charge) the program for the CD.

You may order the CD by phone (541-774 6907; Jackson County residents outside of Medford's local calling area use 1 800 452 5021 x.6907) or you may FAX your order to (541) 774 6791. Please allow seven (7) working days.

When you place your order, please indicate that you need a CD of a Jackson County Planning Commission Public Hearing, the date of the public hearing, the file number that relates to the public hearing, your name and your daytime telephone number. You will be notified when the CD is ready to pick up at the Zoning Counter in Room 100 of the County Offices, 10 South Oakdale. It will be your responsibility to pay for the CD when it is picked up.