



Oregon

Theodore R. Kubangoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

03/06/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Hines Plan Amendment
DLCD File Number 003-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, March 24, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

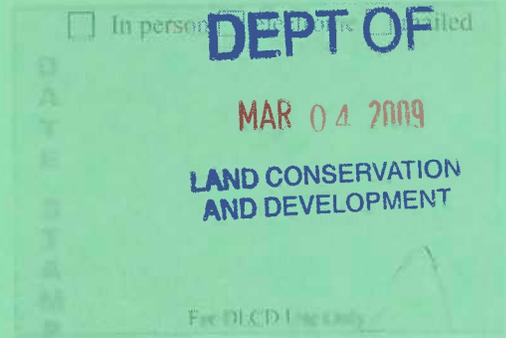
Cc: Ramona Hofman, City of Hines
Doug White, DLCD Community Services Specialist

<pa> N

FORM 2

DLCD

Notice of Adoption



**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**

Jurisdiction: CITY OF HINES

Local file number: 2008-3

Date of Adoption: 2/24/09

Date Mailed: 3/03/09

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one**Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Re-zone a newly partition lot from Single Family Residential to Commercial for the purpose of constructing a shop.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from: RS Single Family Res.

to: C - Commercial

Location: New lot behind 211 Hwy 20 South

Acres Involved:

Specify Density: Previous: vacant

New:

Aprox. 15,000 square feet

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment... Yes

45-days prior to first evidentiary hearing? Yes

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No.

003-08 (17208)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Ramona Hofman

Address: P.O. Box 336

City: Hines

Zip: 97738

Phone: () 541 573-2251 Extension:

Fax Number: 541- 573 5827

E-mail Address: rh@highdesertair.com

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

20090350

**CITY OF HINES, OREGON, COMMON COUNCIL
FINDINGS AND DECISION
ZONE CHANGE**

APPLICANT: Herb Vloedman and OWNER: Don Lasley
P.O. Box 815 Ag & Auto Inc.
Burns, OR 97720 307 North P Street
Lakeview, OR 97630

LOCATION: 23 30 23DD, lot 3800, more commonly known as the lot behind 121 E. Hanley, Hines, Harney County, Oregon.

BURDEN OF PROOF: The applicant must satisfy all the criteria for a Zone Change as is set forth in the Hines Comprehensive Plan; Section 7.8.

APPLICATION REQUEST: To re-zone part of lot 3800 to Commercial and do a lot line adjustment.

BASIC FACTS:

- A. The subject property is zoned Single Family Residential.
- B. Property was zoned Commercial and changed to Residential June 6, 2006 because the area consists of residences and to bring the current residential uses into conformance with the Comprehensive Plan, a new home cannot be built in a Commercial Zone.
- C. The home on 211 E. Hanley which is directly behind Ag and Auto is owned by Don Lasley of Ag and Auto and currently an on call employee lives there.
- D. With the requested Zone change of the back of the lot being changed to Commercial, the property bordering E. Hanley will remain Residential.
- E. This proposed Zone change would sheer up the Zone boundary.

HEARINGS AND EXHIBITS:

A hearing on this matter was held on December 2, 2008 at the Hines City Hall. The following exhibits made up the record.

- A. Zone Change Application filed with the Hines Planning Commission.
- B. Tax Lot map indicating area with names of abutting property owners.

20090350

- C. A legal description of the subject property.
- D. Map highlighting surrounding Commercial property.
- E. Property Line Adjustment Survey.
- F. Several neighbors were present in opposition to the Zone Change.

A hearing before the Hines Common Council, based on Findings and information from the Hines Planning Commission was held on February 10, 2009. No further testimony was received. The City Council placed one stipulation on the Zone Change – that an 8 foot, site obscuring fence be constructed between the Commercial and Residential Zones.

FINDINGS OF FACT:

The criteria for a zone change must be justified by proof that:

1. The change is in conformance with the Comprehensive Plan and also the Goals and policies of the Plan.

Finding: It provides more easily managed Commercial and Residential lines and it will be easier to administer. It fits into existing zoning with logical alignment of zone lines.

2. The showing of public need for the rezoning and whether that public need is best served by changing the zoning classification on that property under consideration.

Finding: The zone change provides a business the opportunity to expand providing economic benefits to the Community.

3. The public need is best served by changing the classification of the subject site in question as compared with other available property.

Finding: It consolidates all of the Commercial property and keeps all of the properties fronting E. Hanley Residential.

4. The potential impact upon the area resulting from the change has been considered.

Finding: This is the second application considered regarding a zone change for this property with our concerns from the first hearing being addressed.

The Approval Criteria for Amendments was met as far as the transportation issue. The only access for the property will remain as it is off of Hwy 20. At the time of the site plan hearing, the other issues such as shop size and placement will be addressed.

DECISION:

The Hines City Council has found that the approval criteria are satisfied by the facts. The Zone Change requested is hereby APPROVED with the stipulation that there be an 8 foot, site obscuring fence constructed.

Please see attached map and Planning Commission minutes of December 2, 2008 and Council minutes of February 10, 2009.

APPROVED this 24th day of February 2009.

Ruth E. Schultz
Ruth E. Schultz, Mayor

ATTEST:

Pamela L. Mather
Pamela L. Mather, City Administrator

STATE OF OREGON }
County of Harney } ss

I certify that the instrument identified herein was recorded on the 15th day of February, 2009 at 3:20 o'clock P.M. in the County Clerk's Records of Harney County, Oregon.

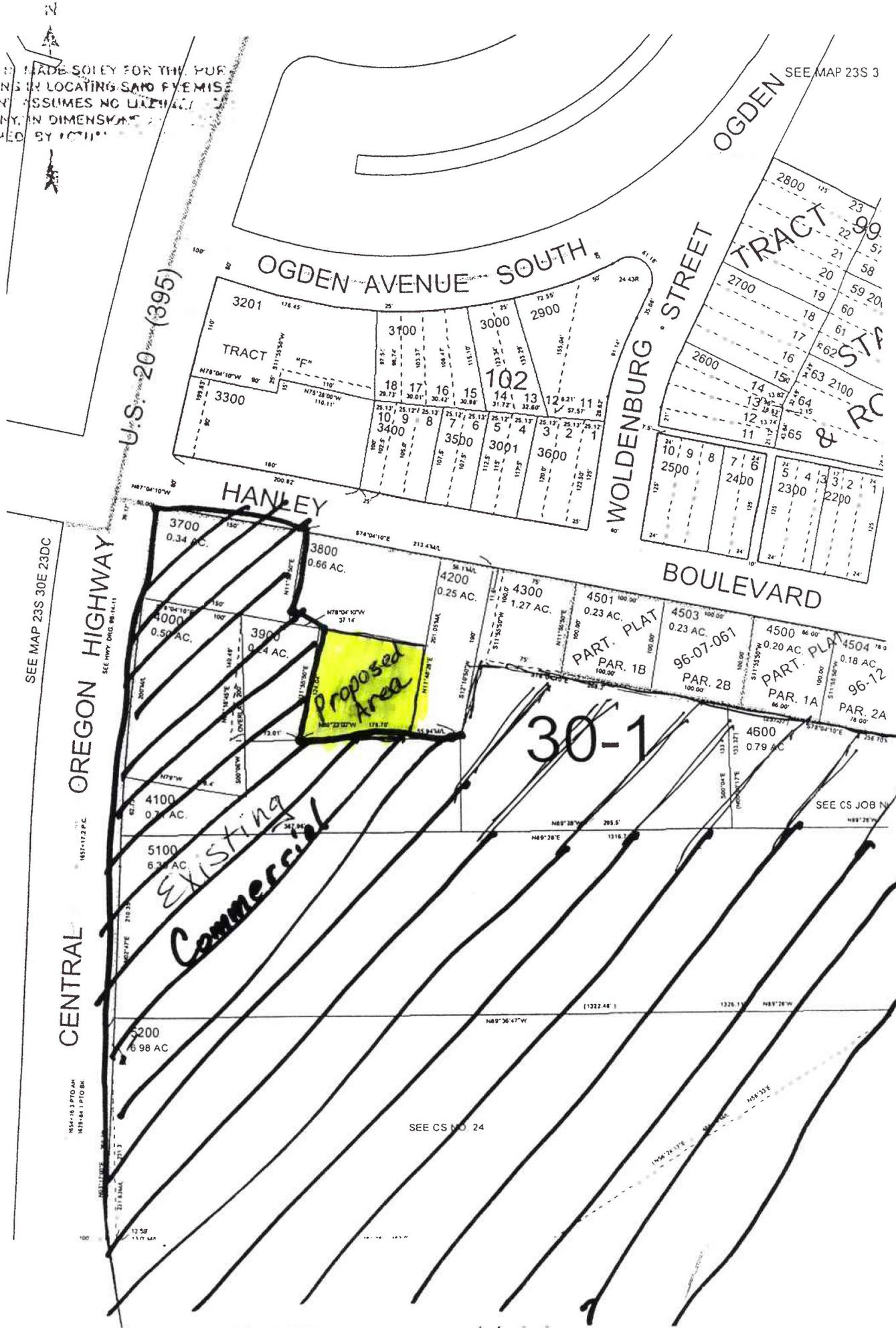
Maria Ibarra, County Clerk

By: *[Signature]* Deputy

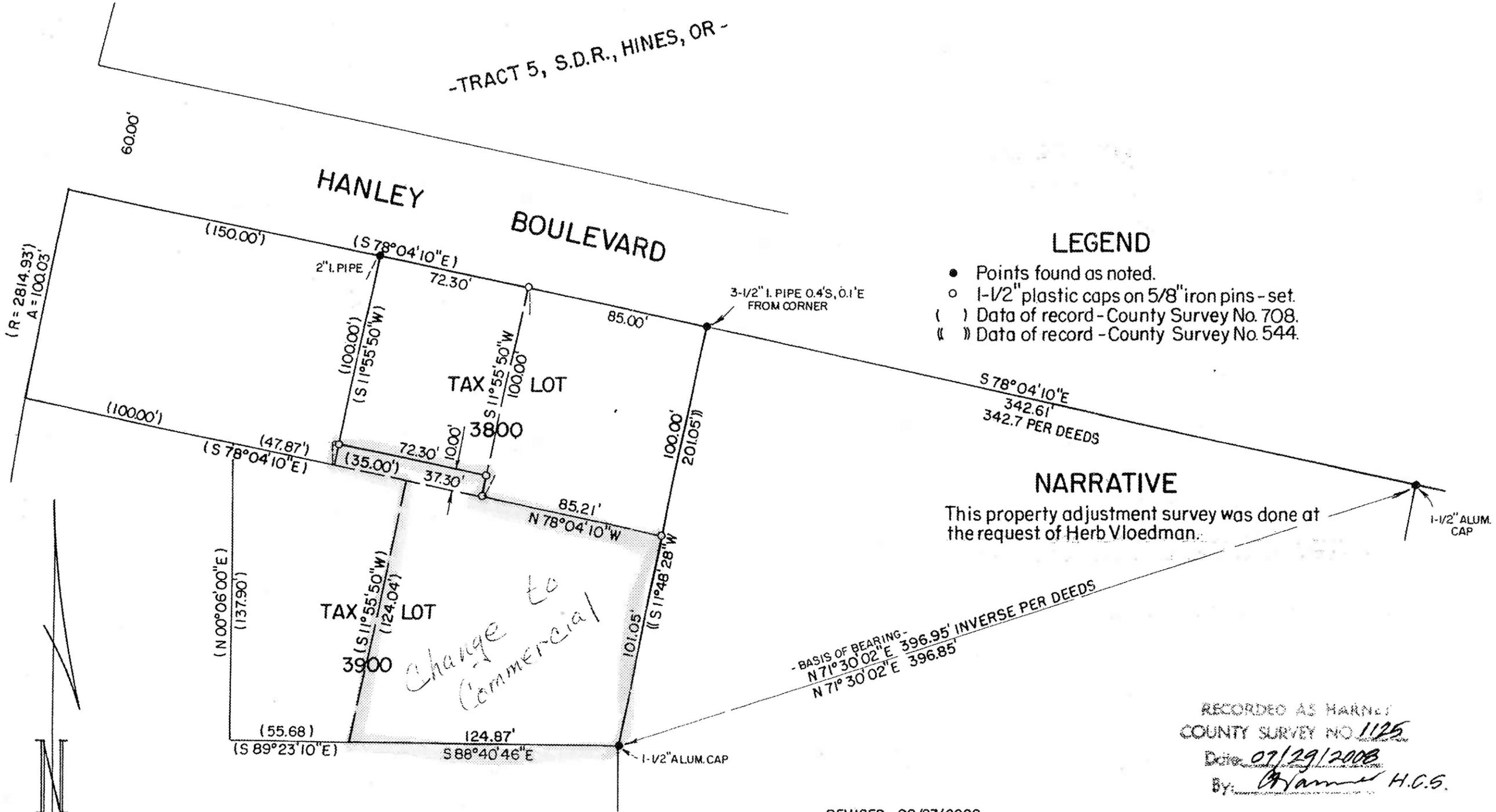
SCALE 1/2"

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAND PYEMIS AND THE COMPANY ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN ANY DIMENSIONS OR AREAS OBTAINED BY OTHER MEANS.

SEE MAP 23S 3



CENTRAL OR HWY

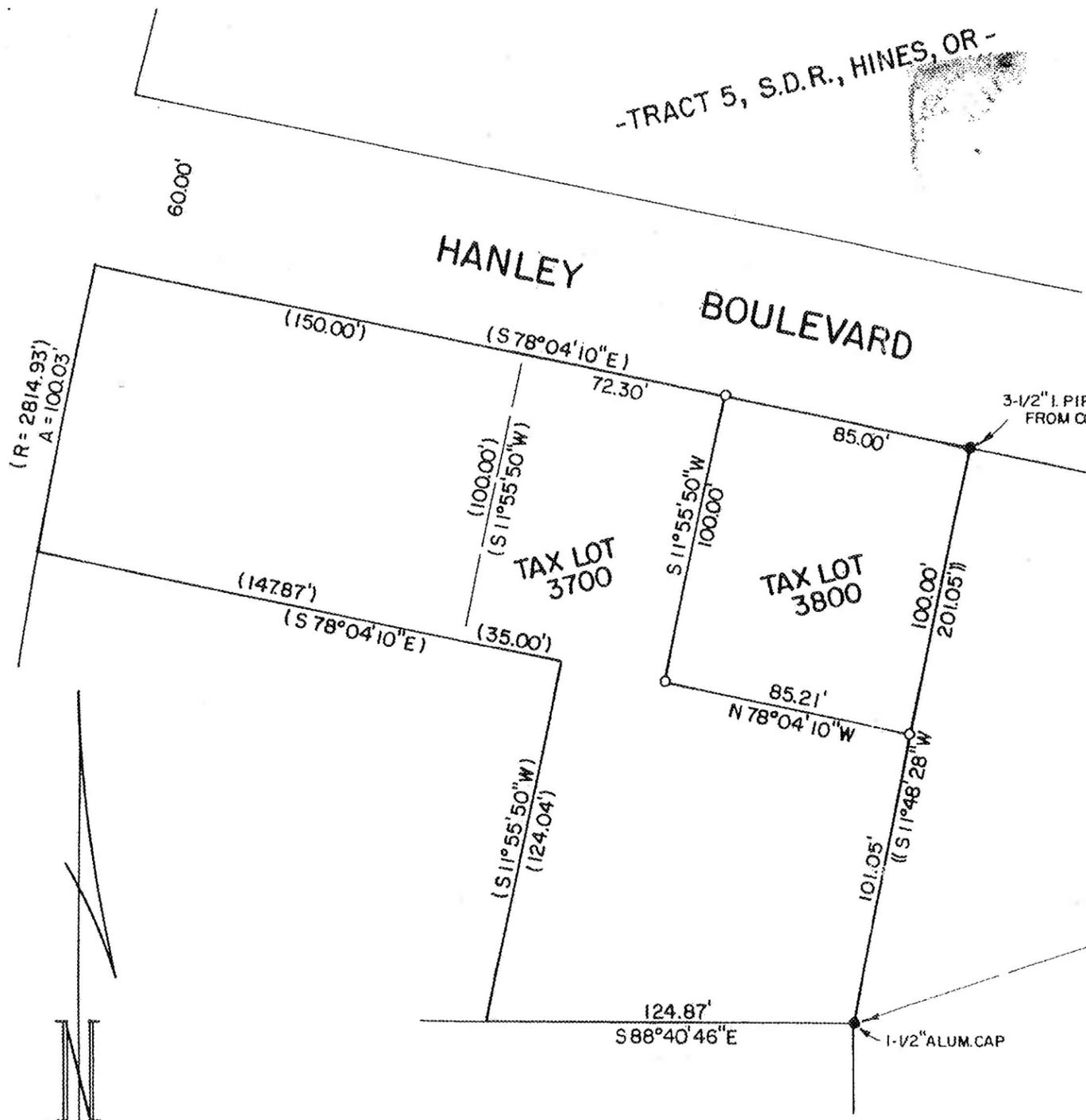


REGISTERED PROFESSIONAL SURVEYOR <i>Chambers</i> M.A. PALMER & SONS, INC. 2009 RENEW 1-1-2009	HERBERT R. & ANNA C. VLOEDMAN	
	PROPERTY LINE ADJUSTMENT SURVEY	
	Scale: 1" = 50'	Date: JULY 2008
	Dsn:	Job: 2421
Drn: CHRIS	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720	Sht. No.
Ckd:		of 1

-TRACT 5, S.D.R., HINES, OR -

CENTRAL OR HWY

(R = 2814.93')
(A = 100.03')



LEGEND

- Points found as noted.
- 1-1/2" plastic caps on 5/8" iron pins - set.
- () Data of record - County Survey No. 708.
- (||) Data of record - County Survey No. 544.

NARRATIVE

This property adjustment survey was done at the request of Herb Vloedman.

-BASIS OF BEARING -
N 71° 30' 02" E 396.95' INVERSE PER DEEDS
N 71° 30' 02" E 396.85'

RECORDED AS HARNET COUNTY SURVEY NO. 1125
Date: 07/29/2008
By: Chris Palmer H.C.S.

<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Chris Palmer</i></p> <p>OREGON SEPTEMBER 23, 1977 CHRIS T. PALMER 1288</p> <p>RENEW 1-1-2009</p>	<p>HERBERT R. & ANNA C. VLOEDMAN</p> <p>PROPERTY LINE ADJUSTMENT SURVEY</p>	
	<p>Scale: 1" = 50'</p> <p>Dsn:</p> <p>Drm: CHRIS</p> <p>Ckd:</p>	<p>Date: JULY 2008</p> <p>M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720</p>

REGULAR MEETING OF THE HINES PLANNING COMMISSION

December 2, 2008

Present: Chairman Skip Renschler, Members Blair DeShong, Gary Foulkes, Bryan Hutchison, Joe Pettyjohn, Tammy Wheeler, and Secretary Ramona Hofman.

Others: Mike and Hilda Allison, Diane Davis, Duane Hutchins, Mike Mulcare, and Herb Vloedman.

Chairman Renschler called the meeting to order at 7:02 p.m.

Approval of Agenda: Mr. Pettyjohn made a motion seconded by Mr. Foulkes to approve the Agenda, all ayes, motion carried.

Approval of October 21, 2008 Regular Meeting Minutes: Mr. Pettyjohn made a motion seconded by Mrs. Wheeler to approve the minutes as written, all ayes, motion carried.

Citizen Requests: There were none.

Public Hearing: Zone change for Herb Vloedman and Don Lasley of Ag and Auto to change from Residential to Commercial at property behind 121 E. Hanley: Chairman Renschler opened the hearing at 7:05 and asked if anyone had any actual or potential conflicts of interest, ex parte contact or personal bias – no one did. Secretary Hofman gave the staff report and said she had advertised a partition, but it will be a lot line adjustment instead, if the Zone change is approved. The application is for the purpose of changing the zone to build a shop. A zone change for this property had been denied previously, but it is a different application and the lots bordering Hanley would be left Residential. She had given DLCD the required notice and had not heard back from them.

Chairman Renschler read the Conduct of Hearing. Mr. Vloedman of 1890 Hines Blvd. in Burns stated he is here to represent the applicant; he was in on the first part of this. Don Lasley has recently purchased the property from them. Their intent is to have a larger area behind the Residential house and vacant lot between the house and the cement wall. That would allow them to display more equipment and put the shop there. He said at the first hearing he was asked if they could put the shop on some other property in the area and it could but that would be very inefficient or being able to get parts back and forth to the shop. They need the part of the building they are using as a shop for additional parts inventory. The Residential zoning will remain up against the street like it is now and the back part would fit in with the existing Commercial that is back there.

Call for Opponents: Hilda Allison asked for clarification of the difference between the first proposal and what they are asking now. Chairman Renschler said there would be a lot line adjustment with this one which would separate the parcels along Hanley from the back which would be part of the re-zone. Mrs. Allison said it is still a visual from her house regardless and she said what he is trying to do is take Residential and turn it into Commercial behind the house. He recently removed equipment as requested by City Hall

from there because it was Residential. She said this shop is going to be large; in the past they said they didn't know where they were going to put the shop – they know where they are going to put the shop. Chairman Renschler stated we would still have to approve a site plan for the shop. Mr. Vloedman estimated the shop would be 30 x 50 or something like that. She said she realizes the residence isn't that great but that entire area is Residential; there is plenty of Commercial in the City of Hines; all we're trying to do is suit this one business. Are you going to do that for everyone who tries to do a business? We jumped through several hoops to put the Truck Stop in and we were just a little Mom and Pop outfit and had to come up with hundreds of thousands of dollars to build it. I'm telling you that if you're going to allow these type of changes for one man then you better do it for everybody. We just changed that entire street to Residential, had we known they were going to put that turquoise trailer across from me, and put up those trailers across from me and now I am having to look at them. We changed full circle; that was ridiculous. I never had an opportunity to say I don't want those trailers (modular homes) across the street from me. We were under the impression that it was Residential, it was changed from Commercial to Residential and now we're going back the other way. To me it doesn't seem right. My husband owns a shop and we know how big this thing is going to be – it won't be just a tiny little garage, it won't even be the size of what's there, guaranteed. Look at the size of that equipment and the size of the doors you have to put in a place to get it in and they will have to put multiple pieces in to make a living. We have plenty of Commercial property and like I said in the last go round, I own a bunch and he can have it for a price. This is ridiculous. We own a shop and realize in Harney County we might have to wait for parts, let alone walk a few feet. We wait days for parts – that's our living, so the death walk does not have anything to do with Harney County because we do the death walk every day. Getting parts is no big deal – we get parts from Ag and Auto, Big A, and we have our own parts store; we don't carry everything. That issue is moot – it's just trying to survive. We've been surviving for over ten years. I just don't want this huge shop down the road. I can see all their equipment from my beautiful porch, and I have one of the nicer homes in the neighborhood which I may be trying to sell soon. I just don't want it there and these folks are retirement age and they may be selling their homes and retire. I don't think it's a good idea and I don't have the proof to say the values of our homes are going to go down because of that shop.

Diane Davis, who has property adjacent to the fence on the back side said she agrees with Hilda. She stated she foresees them purchasing the vacant property next to them and doing the same thing with it.

Mike Mulcare of 132 E. Hanley said he is also in agreement with Hilda but asked if we are in agreement is there any recourse. He was told there will still have to be a site plan as far as size and placement of the shop and it would also be a public hearing. If approved, it could be appealed to the City Council and then that could be appealable to LUBA. Mrs. Wheeler said she thinks the main difference between the new and old applications is that the new one keeps the Commercial from bordering Hanley and it sures up a line of Commercial that already exists. We discussed a map and the existing

Commercial property. It was brought up that the back part of Ms. Davis' property is Commercial, which she did not realize.

Mr. Allison said the truth is they need a bigger shop. Mrs. Allison said when they bought the land as Residential with the intent to make it Commercial; what business man in their right mind would do something like that? She said when it was zoned Commercial they let people build houses in that zone, and then they decided they better change it to Residential – why? Secretary Hofman said the reason is that Residential used to be allowed in Commercial zones and it is not now. We did the zone change to be in conformance with State zoning regulations. Mrs. Allison said that's okay, but at a later date these folks came in and bought Commercial property and kept buying Residential property; a house and another piece of property which were already Residential, they had to know it when they bought it. Why would anyone do that? To her she said that is ridiculous because there is so much Commercial property. She said she is told that all these planning things are specific to zoning; I can't just go and put a house wherever I want it; I can't go and put a Commercial business where I want it because of all these land and planning issues. At this point in time a building/business was purchased that was Commercial and after the fact they bought up more property that was already Residential with the intent of doing this? Mrs. Wheeler said it is not in the criteria for us to decide – the man can buy what he wants and try anything. That is a risk he takes when he buys those properties. We denied it last time. Mrs. Allison said the cleanup of the place is wonderful, everyone likes to see clean areas, but when they said they don't have a bone yard of equipment, that is not true, because we have a bone yard of equipment just because there are people that won't pay their bills, people bring in a piece of equipment and you do more work on it than they have the money to pay and it's yours, where are you going to put it? I have a limo in the back of my place that I can't get rid of. I am telling you that unless they have other properties where they are going to place their bone yard on, that's where it is going to go, right up against your fence – guaranteed. It's a bone yard already; wait till they get full bore, then it's going to be a disaster. We can consider stipulations such as screening and fencing during the site plan. Mr. Allison said he did not want to see a 30' eave which is what they will need. The John Deer shop that was just built is that tall as is the new addition of Robbins Equipment. He said he can see they need more room.

There was no more opponents testimony and no neutral testimony.

Rebuttal – Mr. Vloedman stated he feels there is a discrepancy. He explained some of the area on the map shown as Residential is already Commercial. For clarification, when they originally purchased those three lots as one purchase and they were all Commercial. Someone from California owns the skinny, vacant lot that abuts it that is zoned Residential. The proposal is for a small piece of the back of a lot that would need to be rezoned. Where the houses are will remain Residential. Mr. Pettyjohn stated the footages don't add up and Mr. Vloedman explained that is because of overlapping properties on the descriptions. Mr. Palmer worked up the plot. There was some

discussion about the easement on Ms. Davis' property as to whether it is Commercial or Residential. Secretary Hofman said she would check into it.

Chairman Renschler called for petitions or letter, there were none. There was no reason to consider continuance. The hearing was closed at 7:40.

Deliberation: Mr. Hutchison said many of the issues can be mitigated during the site plan. We don't really know where the shop is going to be located within these parcels and that would be the time to address it. That would also be a good time to deal with Residential issues. He said he has been to their business and they do keep it clean which is a far cry from what it used to be. In this current economic state, we are lucky to have a business that wants to expand.

Mrs. Wheeler asked if there was an alternative as to where else they could put the shop. Mr. Vloedman said the shop location isn't fixed; it could go anywhere it is allowed. The first step is to zone the property Commercial and then we will determine the size and placing of the shop and come before the Planning Commission for a site plan, and at that time you can approve it or put conditions on it. No matter what we do, the open area of the shop will not be facing the Residential area. The building will be well insulated for heating and sound purposes. The 10' bump out shown on the plat is for the purpose of squaring the building with the existing cement wall and allow the required 10' setback. The edge of the bump out lines up with the cement wall which will remain. Mrs. Allison said you have this all lined out, but you still don't have a plan for the building – sounds strange. Mr. Vloedman said they don't have anything drawn up yet. Chairman Renschler said if they would have had a plan, they could have presented it and taken care of it in one hearing. Mr. Allison said he built a building and added on and a concern is overhead. He asked if they could add on to the existing building; that it would probably be cheaper than having another building and having the expense of operating two buildings. Mr. Vloedman explained the building is against the property line on Hanley so they can't go that way, and towards the South with the roof level and type of building it would not be practical to go that way, but they do have the Commercial property to do it. The north side of the building is steel but the showroom has wooden trusses and posts. In order to add on that way you would have to demolish that end of the building. Mr. Vloedman said their first option would have been to add on if it would have been possible.

Chairman Renschler suggested going through the criteria. Mr. Pettyjohn said the reason we rezoned the south side of Hanley was for the residents. The land use laws in Oregon would not let residents rebuild their homes if they burned down in a Commercial zone. At the time the homes were placed on E. Hanley, residences were allowed in Commercial zones, but not now. Mrs. Allison referred to Jake's Truck Stop in Bend where residential grew around them, they got nothing but complaints regarding diesel, noise and the lights, their main case was that they were there first and they ended up going to court over it. She said they didn't go into residential and change. Economies are economies, but keep this in mind, the residences were there first. Mr. Pettyjohn said what she just said is a

reason for changing it – you have a finger of Residential that is bordered on three sides by Commercial and in order to keep it manageable it would be better if there was a straight line. There was discussion regarding the easement – is it subject to zoning? There appears to be a landlocked piece of Commercial property. Secretary Hofman said she would check into it.

The criteria for a Zone Change that was found on page 109 and 110 was discussed. Lot line adjustments do not normally come before the Planning Commission, but in this case, the lot line will not be needed unless the Zone change is approved. Chairman Renchler called for some quiet in the audience. Secretary Hofman stated the Allison's were not within the 100' notification range, but they have every right to be a part of the hearing. The consensus of the Planning Commission was that it should be zoned Commercial. The repair shop would comply with city Commercial zoning in that the business will take part in an enclosed building. We addressed the Zone change criteria: 1) The change is in conformance with the Comprehensive Plan and also the goals and policies of the Plan because it provides more easily managed Commercial and Residential lines and creates a more manageable division between Commercial and Residential property. It would be easier to administer. It fits into existing zoning with logical alignment of zone lines. 2) The showing of public need for the rezoning and whether that public need is best served by changing the zoning classification on that property under consideration – The zone change provides a business the opportunity to expand providing economic benefits to the Community. 3) The public need is best served by changing the classification of the subject site in question as compared with other available property – They own this property, we can't say you can't use the property you own, you have to go and buy some other property which may ultimately have to be rezoned. It keeps the Commercial property separate from the Residential and it keeps all of E. Hanley Residential and that is what the public need is. We are retaining the access to Hwy. 20. 4) The potential impact upon the area resulting from the change has been considered – yes, this is the second application considered and with this hearing our concerns from the first hearing are being addressed. At the time of the site plan hearing the other issues will be addressed. It was the consensus that Approval Criteria for Amendments does not need to be addressed because there are no issues regarding transportation.

There being no further discussion, Mr. Pettyjohn made a motion, seconded by Mrs. Wheeler that we recommend to the City Council that we change the zone from Residential to Commercial on that portion that has been proposed, all ayes, motion carried. Chairman Renchler stated this is strictly a recommendation to the Council and if so desired, it could be appealed to the City Council. First the Planning Commission's Findings will need to be approved. Mrs. Allison asked if the residents had any recourse about the building and was told they will at the site plan hearing. Chairman Renchler requested Mr. Vloedman mitigate with the residents in mind and put it as far away from them as possible and consider barriers.

Public Hearing: Home Occupation for Duane Hutchins to have a Motorcycle Repair Business at his home at 181 S. Quincy Ave. The hearing was opened at 8:20 p.m. Chairman Renschler asked if there were any conflicts or ex parte conduct. There were none. Secretary Hofman read the application. Chairman Renschler stated the same rules apply as with the previous hearing. Mr. Hutchins (Hutch) showed some pictures of his existing property and 22' x 10' shop. He said he has done a lot of motorcycle work there for friends and he is hoping to start a business there. It will not increase in size, He wants to get into restoration of older motorcycles so it will not be any traffic increase. There were no opponents or proponents present. Secretary Hofman stated she did get a letter from Stuart and Jennifer Yekel of 172 S. Quincy which stated they had no objection. Kathy Jory of 159 S. Quincy had come into the office and stated they had no objection. Mrs. Wheeler asked if there would be any increase in noise – no. Would there be any signs? Mr. Hutchins said only the 1' x 1' sign that is allowed. Secretary Hofman asked if the shop was big enough – yes. He said he will just work on one motorcycle at a time. It is more of a hobby that will hopefully turn into a small business. There was no reason for a continuance. The hearing was closed at 8:27 p.m. Mr. Foulkes said his main concern was with noise and motorcycles can be pretty noisy, but it sounds like it will be pretty minimal. Since no neighbors object to this he said he has no reason to. Mr. Hutchins said he has lived there since 1978 and the neighbors around him have been there longer than he has, and he has always had a motorcycle. His friends come by with their motorcycles. He said he is an ex-logger and used to going to bed at 8:00 p.m. and getting up at 3:00 a.m. and those are the hours he still keeps. He is not going to start a drag bike shop. He went around personally to all his neighbors before he applied for this and nobody had a problem with it. Chairman Renschler said he can't expand his shop specifically for this business. He said that is an issue with him at times with some of these Home Occupations that there is some vacant Commercial property that we would like to see filled. The bikes will have to enter the shop from the back yard; there is no entrance through the front. Mr. Pettyjohn said the people in that neighborhood don't complain about noise. He started a log truck on that street for years at 1 and 2 in the morning and no one ever complained; he will probably not always have the same neighbors, but if kept at that level it should not be a problem.

Mrs. Wheeler made a motion seconded by Mr. Pettyjohn to approve the Home Occupation, all ayes, motion carried.

Old Business: There was none.

New Business: There was none.

Commission Reports:

Mr. Foulkes asked how long after the election political signs need to come down. He said there is a huge Greg Walden sign at ACW. Secretary Hofman said she would check into it. Some discussion was held regarding Ag and Auto's new flashing sign. He said it

is kind of a distraction when you are driving down the Hwy. It doesn't allow for the casual motorist to object to it, but it does allow neighbors to object to the moving and brightness. It was suggested they put deer crossing on it, also that they turn it off at a certain time of night, or possibly freeze the picture. Some like to see the time and temperature on it.

Secretary Hofman stated Pam and herself had met with some people from FEMA regarding changing the flood zoning. There was some discussion on the cottage zone and the Flood Plain maps. FEMA says that area gets twice the water as the Blitzen during peak runoff, which is not true. The developers have done a lot for the drainage situation. The City will be working with FEMA regarding the flood plain issue along with the City of Burns and the County.

The next meeting will be on January 6 unless we need to have one sooner.

There being no further business, Mrs. Wheeler made a motion seconded by Mr. Foulkes to adjourn; the meeting was adjourned at 8:54 p.m.

U.S. POSTAGE
PAID
HINES, OR
97738
MAR 03, '09
AMOUNT



\$1.85

00029441-01



0000

97301

CITY OF HINES

101 E. Barnes St., P.O. Box 336
HINES, OR 97738

To: *DUCD - Plan Amend. Sp.*
635 Capital St. NE
Ste. 150
Salem, OR 97301