

WASCO COUNTY PLANNING COMMISSION

November 1, 2011

Meeting begins at 3:00p.m.

Columbia Gorge Discovery Center

Lower Level Classroom

5000 Discovery Drive

The Dalles, OR 97058

I. CALL TO ORDER

II. ROLL CALL

WASCO COUNTY PLANNING COMMISSIONERS PRESENT

Don Hoffman
Vicki Ashley
Ron Archer
Jill Amery
Russ Hargrave
Chip Wood
Mike Omeg

WASCO COUNTY PLANNING COMMISSIONERS ABSENT

None

WASCO COUNTY STAFF PRESENT

John Roberts, Planning Director
Dawn Baird, Associate Planner
Brenda Jenkins, Planning Coordinator
Keith Cleveland, Code Compliance Officer
Jeanette Montour, Senior Planner
Joey Shearer, Associate Planner

III. PUBLIC COMMENT: Maximum 15 minutes, limited to items not being heard or discussed elsewhere on the agenda.

None

IV. QUASI-JUDICIAL HEARING:

PLAAPL-11-01-0001, an appeal of the Planning Director's decision to deny a Conditional Use Permit and Subject to Standards request (PLACUP-10-08-0018) to convert an unlawfully placed dwelling into a hunting cabin/lodge, and retain an existing wood storage structure.

Chair Hoffman opened the hearing as follows:

The Rules of Evidence are as follows:

- a. No person shall present irrelevant, immaterial, or unduly repetitious testimony or evidence.
- b. Evidence received shall be of a quality that reasonable persons rely upon in the conduct of their daily affairs.
- c. Testimony and evidence must be directed toward the subject hearing.
- d. Any party of record may request that the record remain open for at least seven (7) days prior to the conclusion of the initial evidentiary hearing.

Disclosure of Interest of Ex Parte Contact:

- a. Does any Planning Commission member wish to disqualify themselves for any personal or financial interest in this matter?
None.
- b. Does any member of the audience wish to challenge the right of any Planning Commission to hear this matter?
None.
- c. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of Wasco County in this matter?
None.

Chair Hoffman called for the staff report.

John Roberts, Wasco County Planning Director

Mr. Roberts presented the request and criteria as listed in the staff report.

Dawn Baird, Wasco County Associate Planner

Ms. Baird presented the staff report.

Options for Planning Commission:

- a. Uphold the decision of the Planning Director to deny the conversion of the unlawfully placed dwelling into a hunting cabin/lodge, and 14' x 8' x 8' tall wood storage structure with the findings and conclusions recommended by the Planning Department; or
- b. Uphold the decision of the Planning Director to deny the conversion of the cabin/lodge and wood storage structure with amended findings and conclusions; or
- c. Overturn the decision of the Planning Director to deny the conversion of the unlawfully placed dwelling into a hunting cabin/lodge, and approve the request with amended findings and conclusions; or
- d. Overturn the decision of the Planning Director to deny the conversion of the unlawfully placed dwelling into a hunting cabin/lodge, and approve the request with amended findings and conclusions, and conditions in Attachment C; or
- e. If additional information is needed, continue the hearing to a date and time certain to allow the submittal of additional information.

Chair Hoffman called for questions from the Commission.

Commissioner Omeg asked for clarification on the process of enforcement of structures where there are no permits.

Planner Baird deferred the answer to Keith Cleveland, Wasco County Code Compliance Officer.

Mr. Cleveland explained the process of seeking compliance on illegal structures.

Chair Hoffman asked if the structure was not currently there, could you qualify a structure in a new location, could a structure like this get approved. Planner Baird stated that she believed the structure still could not be approved due to the wildfire concerns.

Chair Hoffman called for testimony from the applicant/appellant.

Thomas Delzell, Owner, Applicant/Appellant

Mr. Delzell gave a brief background on the property and how they came to be the owners of the property. He further explained that they would propose to provide tanks in order to suppress any fires. He then discussed the road grades and stated that the majority of the property is "open" and wildlife is allowed to roam freely. He then submitted letters in support of his proposal.

Chair Hoffman called for questions from the commission.

Commissioner Omeg asked for clarification on the number of guests that Mr. Delzell would expect at one time. Mr. Delzell replied that they had outfitted the cabins for up to 6 guests at a time. They estimate between 3 and 6 guests.

Vice Chair Ashley asked if SDS has an agreement with Mr. Delzell for the logging rights on the property. Mr. Delzell stated that they did not.

Chair Hoffman called for other testimony

Jeremy Thompson, Oregon Department of Fish and Wildlife

Mr. Thompson gave an overview of the 300' siting standard as it relates to the Big Game Winter Range Overlay.

Chair Hoffman called for testimony from the applicant/appellant.

Thomas Delzell, Owner, Applicant/Appellant

Mr. Delzell stated that he cannot be certain of the amount of traffic as he is not often on the property.

Chair Hoffman closed the hearing for deliberation.

The Commission deliberated

Commissioner Wood moved to uphold the Directors decision to deny the request
Vice Chair Ashley seconded.

Chair Hoffman called for discussion

Commissioner Hargrave stated that he was uncomfortable denying a request that might be allowed.

Commissioner Amery stated that she didn't see the harm in holding out for a month and asking for additional information and possibly conducting a site visit.

Chair Hoffman called for the vote

The motion was denied 4 to 3 A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – no
Vice-Chair Ashley – yes
Commissioner Hargrave – no
Commissioner Wood – yes
Commissioner Omeg – yes
Commissioner Archer – no
Commissioner Amery – no

Commissioner Hargrave moved to continue the hearing to a date and time certain, said date and time being December 6, 2011, at 3:00 pm.

Commissioner Amery seconded

Chair Hoffman called for discussion
None.

Chair Hoffman called for the vote

The motion was approved 4 to 3 A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes
Vice-Chair Ashley – no
Commissioner Hargrave – yes
Commissioner Wood – no
Commissioner Omeg – no
Commissioner Archer – yes
Commissioner Amery – yes

V. APPROVAL OF PAST MINUTES-

October 4, 2011

Vice Chair Ashley moved to approve the minutes as submitted.
Commissioner Hargrave seconded

Chair Hoffman called for discussion

None.

Chair Hoffman called for the vote

The motion was unanimously approved 7 to 0 A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes
Vice-Chair Ashley – yes
Commissioner Hargrave – yes
Commissioner Wood – yes
Commissioner Omeg – yes
Commissioner Archer – yes
Commissioner Amery – yes

VI. FUTURE AGENDA ITEMS:

- December 6, 2011 – Easton request for a single family dwelling in the Special Management Area in the National Scenic Area
- Discussion of Wasco County Planning Commission Bylaws
 - Reappointment process
 - Term limits
 - Explore alternates

VII. TRAINING OPPORTUNITIES:

- No discussion

VIII. OTHER BUSINESS:

- December 7, 2011, has been scheduled with the Board of Commissioners for the comprehensive plan amendments and a tentative January 18, 2012, has been scheduled with the Board of Commissioners for the energy ordinance updates.
- September 27 focus group – interest in sitting on Development Review Improvement Process Advisory Committee – Commissioners Wood, Omeg, Hargrave, and Vice Chair Ashley. Director explained that the planning office has received a grant from DLCD to help efforts. He is looking at possibly hiring a consultant to audit the current ordinance.
- Planning Department Newsletter – ideas for recipients and distribution.

IX. ADJOURNMENT
Adjourned at 5:11 pm

Respectfully submitted,

Donald Hoffman, Chair
Wasco County Planning Commission

John Roberts, Planning Director
Wasco County Planning Department