CALL TO ORDER

ROLL CALL

WASCO COUNTY PLANNING COMMISSIONERS PRESENT
Russell Hargrave
Vicki Ashley
Chris Schanno
Mike Davis
Brad DeHart
Jeff Handley
Lynne Erickson

WASCO COUNTY PLANNING COMMISSIONERS ABSENT
Andrew Myers
Aimee Bell

WASCO COUNTY PLANNING OFFICE STAFF PRESENT
Angie Brewer, Planning Director
Brenda Jenkins, Planning Coordinator
Will Smith, Associate Planner
Dustin Nilsen, Senior Planner
Riley Marcus, Assistant Planner
Joe Ramirez, Code Compliance

Chair Hargrave called the meeting to order at 3:00

PUBLIC COMMENT
None

QUASI JUDICIAL HEARING:
File # PLAAPL-16-10-0004  PLAMNS-16-04-0013. Appeal by Scott Hodson of Deschutes Nena, LLC of the Planning Director’s decision to deny a Type 1 application from Deschutes Nena, LLC for the replacement of an accessory structure (pit toilet with an incinerating toilet).

Opening the Hearing by Chair Hargrave: We will now open the public hearing on agenda item PLAAPL-16-10-0004, an appeal by Scott Hodson of Deschutes Nena, LLC, of the Planning Director’s
decision to deny PLAMNS-16-04-0013, a Type 1 ministerial application to replace and expand an accessory structure.

The property is described as 6S 14E 0, tax lot 4700.

The criteria for approval of this land use decision are contained in the Wasco County Comprehensive Plan, Chapters 2 and 15; and the Wasco County Land Use and Development Ordinance (LUDO), Chapter 1 (Introductory Provisions), Chapter 2 (Development Approval Procedures), Chapter 3 (Basic Provisions) Section 3.210, Exclusive Farm Use Zone, subsections D., F., H., and J., Section 3.910 Natural Area Overlay, and Chapter 10 (Fire Safety Standards). The proposed development must comply with applicable provisions contained in the Wasco County Comprehensive Plan. Generally, unless otherwise noted, if a request is found to be consistent with the LUDO it is considered consistent with the Comprehensive Plan.

The procedure I would like to follow is:

a. Disclosure of Interest, Ex Parte Contact or Potential Conflicts

Vice Chair Ashley stated that she has been to the site in the past.

b. Reading of the Rules of Evidence
c. Planning department will present their report
d. Those who wish to speak in favor of the proposal
e. Those who wish to speak in opposition of the proposal
f. Rebuttal
g. Close the hearing and record and begin deliberation
h. If enough information is available the Planning Commission will make a decision today.

Disclosure of Interest, Ex Parte Contact or Potential Conflicts:

a. Does any planning commissioner wish to disqualify themselves for any personal or financial interest in this matter? There were none.
b. Does any planning commissioner wish to report any significant ex parte or pre-hearing contacts? There were none.
c. Does any member of the audience wish to challenge the right of any planning commissioner to hear this matter? There were none.
d. Is there any member of the audience who wishes to question the jurisdiction of this

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 criteria applicable to the subject hearing or to criteria that the party believes apply to the decision.
d. Failure to raise an issue with sufficient specificity may preclude raising it before the Land Use Board of Appeals.
e. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow Wasco County to respond to the issue precludes an action for damages in circuit court.

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. (PC Only)

Failure of persons to participate in the public hearing, either orally or in writing, precludes that person's right of appeal to the city council or LUBA. Written testimony submitted prior to the hearing constitutes participation in the hearing.

Wendy Kellington, Representative for the Appellant asked the Commission for a motion for continuance. The Commission opened discussion on the request.

Chair Hargrave asked if the issue would be framed and presented differently if the continuation was granted and the neighbors reached an agreement. Director Brewer stated that the consideration of the denial of the director’s decision is for the replacement of the toilet facility. This would not change.

Vice Chair Ashley moved to go ahead with the hearing as scheduled. Commissioner Erickson seconded.
Chair Hargrave called for the vote. Chair Hargrave called for the vote. The motion was denied 4 to 3, 2 absent (Commissioner Myers, and Commissioner Bell).

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – no
Vice-Chair Ashley – yes
Commissioner Myers – absent
Commissioner Handley - no
Commissioner Davis – no
Commissioner DeHart – yes
Commissioner Schanno – no
Alternate Commissioner Erickson – yes
Alternate Commissioner Bell – absent

Commissioner Davis moved to continue the hearing to a date and time certain. Said date and time being March 7, 2017, at 3:00 pm at the Columbia Gorge Discovery Center, Lower Level Classroom. Commissioner Handley seconded.
Chair Hargrave called for the vote. The motion was unanimously approved 7 to 0, 2 absent (Commissioner Myers, Commissioner Schanno, and Commissioner Bell).
A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – yes
Vice-Chair Ashley – yes
Commissioner Myers – absent
Commissioner Handley - yes
Commissioner Davis – yes
Commissioner DeHart – yes
Commissioner Schanno – yes
Alternate Commissioner Erickson – yes
Alternate Commissioner Bell – absent

Chair Hargrave called for a 5 minute break at 3:25
***break***
Chair Hargrave reconvened the meeting at 3:31

**ELECTION OF OFFICERS**

**Election of Commission Chair:**
- Chair Hargrave called for nominations.
- Commissioner Davis nominated Commissioner Hargrave.
- Commissioner Handley nominated Commissioner DeHart.
- Commissioner DeHart stated that he appreciated the nomination but wasn’t sure it was a good time for him to take on the Chair position and respectfully declined the nomination.
- Commissioner Schanno seconded the nomination for Commissioner Hargrave.

Chair Hargrave called for the vote. The motion was unanimously approved 6 to 0, 1 abstain, 2 absent (Commissioner Myers, Commissioner Schanno, and Commissioner Bell).

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – abstain
Vice-Chair Ashley – yes
Commissioner Myers – absent
Commissioner Handley - yes
Commissioner Davis – yes
Commissioner DeHart – yes
Commissioner Schanno – yes
Alternate Commissioner Erickson – yes
Alternate Commissioner Bell – absent

**Election of Commission Vice Chair:**
- Chair Hargrave called for nominations.
- Commissioner Handley nominated Commissioner DeHart.
Chair Hargrave nominated Commissioner Ashley
Commissioner Schanno seconded the nomination for Commissioner DeHart.
Commissioner Erickson seconded the nomination for Commissioner Ashley.
Chair Hargrave called for discussion.
Chair Hargrave moved to vacate the last two motions for Vice Chair to allow for voting ease. Motion was unanimously approved.

Commissioner Schanno moved to nominate Commissioners DeHart and Ashley for Commissioner Vice Chair.
Chair Hargrave seconded.
Chair Hargrave called for discussion. There was none.
Chair Hargrave called for the vote.
Chair Hargrave called for the vote. The motion was approved in the following manner: 3 votes for Commissioner DeHart; 2 votes for Commissioner Ashley.

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – abstain
Vice-Chair Ashley – Commissioner Ashley
Commissioner Myers – absent
Commissioner Handley – Commissioner DeHart
Commissioner Davis – Commissioner DeHart
Commissioner DeHart – abstain
Commissioner Schanno – Commissioner DeHart
Alternate Commissioner Erickson – Commissioner Ashley
Alternate Commissioner Bell – absent

DISCUSSION OF OTHER BUSINESS/DIRECTOR'S COMMENTS

Director Brewer updated the Commission on the following:

Union Pacific Railroad has been appealed to the Columbia River Gorge Commission and will be heard in June or July. She stated that both the Riverkeepers and the Union Pacific Railroad filed appeals and the the Yakama Nation filed to intervene on those appeals.

Director Brewer then introduced the Planning Department’s new Assistant Planner Riley Marcus to commission.

Director Brewer also informed the Commission that the Department is in the process of updating the website and has developed tracking tools to track the inquiries coming into the office. Chair Hargrave suggested merging the data with data on the people who are self serving through the website.
Commissioner DeHart asked that the Commission be updated with an overview on what is coming to the counter.

Vice Chair Ashley asked how many legitimate viable marijuana applications have come into the office.


Senior Planner Dustin Nilsen stated that the Department has received about 12 Land Use Compatibility Statements (LUCS); 10 grow sites; 2 processing sites; and 1 nonconforming use for a medical grow that wanted to maintain the operation. He further stated that Staff has approved one of the processors.

Director Brewer stated that on January 26 she and Long Range Planner Kelly Howsley Glover will be going before the Land Conservation and Development Commission (LCDC) to request voluntary periodic review. The Commission requested to have a calendar invite sent around so that they might attend the LCDC as support.

Director Brewer stated that as a result of being named AOCPD President, she has been invited to the Legislature Group and will be attending meetings and will keep the Commission update on what is happening in the legislature.

APPROVAL OF PAST MINUTES:

December 6, 2016
Commissioner Erickson moved to approve the minutes as submitted.
Commissioner Davis seconded.
Chair Hargrave called for discussion. There was none.

Chair Hargrave called for the vote. The motion was unanimously approved 7 to 0, 2 absent (Commissioner Myers and Commissioner Bell).

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – yes
Vice-Chair Ashley – yes
Commissioner Myers – absent
Commissioner Handley - yes
Commissioner Davis – yes
Commissioner DeHart – yes
Commissioner Schanno – yes
Alternate Commissioner Erickson – yes
Alternate Commissioner Bell - absent

Meeting adjourned at 4:55 pm

_______________________________  ________________________________
Rus Hargrave      Angie Brewer, Planning Director
Wasco County Planning Commission   Wasco County Planning & Development