

This meeting of the Wallowa County Planning Commission convened at 7:00 p.m. on Tuesday, February 23, 2016, with the following present:

MEMBERS: Ramona Phillips
Jim Nave
Chris Bullat
Kim Tippett

STAFF: Harold Black, Planning Director
Ashley Lee, Department Specialist

OTHERS PRESENT:

Deanna VanDoozer
Applicant CUP 16-02

David VanDoozer
Applicant CUP 16-02

Kathleen Ellem
The Cheiftain

Ramona Phillips, VICE CHAIR: [Introduced members and staff and read agenda.]

[Please note that draft and adopted findings, staff reports, written testimony, and the official Planning Commission meeting audio record are available for review and/or purchase in the Planning Department.]

Public Hearing Procedure

Ladies and Gentlemen, I call the regular February 23, 2016 hearing session of the Wallowa County Planning Commission to order. My name is Ramona Phillips, and I am the Vice Chair of the Planning Commission for Wallowa County, Oregon. The members of the Planning Commission are appointed by the Wallowa County Board of Commissioners and we all serve as volunteers. Now I would like to introduce the current members of the Commission who are present tonight, and the staff of the Planning Commission, who have prepared the materials we will consider. (Does introductions of members and staff).

We conduct two types of hearings, legislative and quasi-judicial. Legislative hearings involve the making of rules, either new ones or recisions to existing rules. In these cases we recommend our conclusions to your elected lawmakers, the County Commissioners who always take the final action on legislative issues. Oregon law requites that persons who attend land-use hearings be advised of certain rights and duties before the quasi judicial hearing begins. We must tell you about approval criteria, the raise-it-or-waive-it-rule, and the right to have the record left open.

First approval criteria: the law requires the County to list the applicable County and State zoning criteria. A County Planner will do so in a few minutes. The law requires us to identify those standards which an applicant must satisfy in order for the County to approve an application. Each of the standards must be supported by substantial evidence in the record. Make sure to direct your testimony, claims, or evidence toward the criteria which you believe applies to the application.

Second, the raise-it-or-waive-it rule. The law says that any issue which might be raised in an appeal of the decision after this hearing must be raised before the record of this hearing is closed, you cannot raise the issue on appeal. You must identify the issue clearly enough so that the County and all parties have an opportunity to respond to the issue.

Third, The right to have the record remain open. The law grants the participant the right upon to proper request to have the record of the hearing remain open for at lease seven days. The request must be made before the conclusion of this hearing. The participant is the applicant or anyone who has submitted written or oral testimony regarding the application. The request may be made at any time during the initial hearing, but must be made prior ro the time the Planning Commission Chair announces that the hearing is closed. Once the hearing is closed, there is no longer a legal right to have the record remain open for additional evidence.

Harold Black asks to make a comment about the agenda. The agenda states that the VanDoozer application is for a farm stand. It is not a for a farm stand. It is a bed and breakfast with retail bakery sales for the wholesale business they currently operate and for retail sales of farm related food items.

Ramona Phillips states that the minutes are on the agenda first tonight. Commissioner Phillips asks if anyone in has issues with the meeting minutes from last month.

Chris Bullat moves to approve the minutes as written.

Kim Tippet seconds the motion. **[Motion Passes 4-0-0]**

VanDoozer CUP #16-02

Ramona Phillips ask that Harold Present the Findings.

Harold Black reviews the Findings proposing that the VanDoozer' s be allowed to have a bed and breakfast and have retail sales for there current whole sale bakery. He reviews the two conditions that the Planning Commission Requested.

Kim Tippet asks that Harold read the conditions one more time and was then satisfied with the conditions.

David VanDoozer wants to be sure that if anything happened to him that his wife and children would still be able to continue on. Planning commission assured him that something could be worked out in that case even if it is taking up application again.

Kim Tippet motions to approve the Findings for CUP 16-02 including the conditions of having the conflict acknowledgment statement be included as well as the permit being void if the business is sold.

Chris Bullat seconds the motion **[Motion Passes 4-0-0]**

Harold Black states that findings are now signed and that there is a 12 day appeal period.

Johnson CUP #16-01

Harold Black states that the applicants have requested another continuance but should have everything in place for the March Meeting.

Chris Bullat motions to continue till the March Meeting

Kim Tippet seconds the motion [**Motion Passes 4-0-0**]

Other Business

The **Planning Commission** discusses the sign issue on the highway and the fact that Pioneer West and the RV Park across the street have the inappropriate sizes and types of signs. They discussed that sending a letter of non compliance, the article addressing sign allowances for their zone and a copy of the enforcement article. They agreed that Pioneer West and The RV Park both need letters since they both have non compliant signs.

The **Planning Commission** also discusses the Dragon Boats. They decided they sounded like a great idea, but are not sure they would have any input in any of the permitting but would like to see it in the county.

Chris Bullat motions to close the meeting.

Kim Tippet seconds the motion. [**Motion Passes 4-0-0**]

There being no further business before the commission, the meeting was, on motion duly made and seconded, adjourned at 7:40 p.m.



Ashley D Lee
Department Specialist

03/21/2016
Date