

This meeting of the Wallowa County Planning Commission convened at 7:00 p.m. on Tuesday, January 29, 2013, with the following present:

MEMBERS: Ken Wick
Sterling Shetler
Ramona Phillips
Benjamin Curry
Scott Lathrop

STAFF: Harold Black, Planning Director
Chrystal Allen, Permit Tech

OTHERS PRESENT:

Katy Nesbitt
Observer Rep

Patty Glaze
Lagrande Resident

Margie Shaw
Enterprise Resident

Rahn Hostetter
S&V Prop Rep

Peggy Kite-Martin
Enterprise Resident

Parley Pearce
Pendleton Resident

KEN WICK, CHAIRMAN: [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 January 29, 2013 hearing session of the Wallowa County Planning Commission to order. My name is Ken Wick, and I am the Chairman 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 revisions 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 requires that persons who attend a land-use hearing 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 stated by the Planner or any other 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. If you do not raise the issue before the record 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 proper request to have the record of the hearing remain open for at least 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 to 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.

Officer Elections

Scott Lathrop moves to re-elect Ken Wick as Chairman.

Benjamin seconds the motion. [Motion passes 4-0-1]

Ramona Phillips moves to elect Benjamin Curry for 1st Vice Chairman.

Scott Lathrop seconds the motion. [Motion passes 4-0-1]

Scott Lathrop moves to elect Ramona Phillips as 2nd Vice Chairman.

Benjamin Curry seconds the motion. [Motion passes 4-0-1]

S&V Properties ZC#12-01 Findings

Harold Black presents the Findings dated November 28, 2012 and states that Rahn Hostetter, Representative for S&V Properties, requested that the word "an" be changed to "a" in the fifth sentence within the first paragraph on page one. Hostetter further requests that the phrase "per ORS 197.610" be included at the end of the third sentence on page four under Finding 6.5.

Benjamin Curry moves to approve the findings with suggested changes.

Ramona Phillips seconds the motion. [Motion passes 5-0-0]

Hayes ZC#12-02

Harold Black present the Staff Report dated December 21, 2012 and attachments and explains that the applicant's representative is Patty Glaze, not Rahn Hostetter as described in the Staff Report.

Applicant Testimony

Parley Pearce states his name and address for the record and explains that this property has been used for multiple purposes, including a dump by the Hayes family for the past 150 years. Pearce states that the land is rocky and has never been used for farming. Pearce feels that the R-2 zone would be a higher and better use and would improve the value of this property.

Testimony of Support/Opposition

No oral or written testimony present.

Benjamin Curry moves to close the hearing.

Scott Lathrop seconds the motion. [Motion passes 5-0-0]

The **Planning Commission** discuss this property's location and historical uses and agree that it should be zoned for residential uses.

Scott Lathrop moves to approve the application as presented.

Benjamin Curry seconds the motion. [Motion passes 5-0-0]

Minutes

Peggy Kite-Martin requests that additional language be included in the minutes, which she feels would more clearly describe her testimony presented at the S&V Properties hearing on November 27, 2012.

The **Planning Commission** discuss the possible need to include more specific language in minutes, as they are a summary of the hearing, and explain that the recorded record is the official record; however, agree to allow the language, "No existing infrastructure of water or sewer and that existing infrastructure is located miles from the site in the cities of Joseph or Enterprise, which could be a huge expense to citizens.", into the minutes. The Planning Commission request the revised minutes be emailed to them for review.

There being no further business before the commission, the meeting was, on motion duly made and seconded, adjourned at 8:00 p.m.

Chrystal Allen
Permit Technician

Date