

This meeting of the Wallowa County Planning Commission convened at 7:00 p.m. on Tuesday, March 29, 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:

Scott Hathorn
Joseph Resident

Lola Johnson
Applicant

Kathleen Rawls
Applicant

Grady Rawls
Applicant

Tom Gibson
Applicant

Mandy Gibson
Applicant

Ramona Phillips, 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 March 29, 2016 hearing session of the Wallowa County Planning Commission to order. My name is Ramona Phillips, and I am the 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 remains open. The law grants the participant the right upon to 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.

Harold Black asks to make a comment about the agenda. He would like to add to the public comment and other business section to discuss the Wildfire Protection Plan and the Rails to Trail Zoning issues.

Ramona Phillips states that the minutes are on the agenda first tonight. Commissioner Phillips asks if anyone here 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]**

Johnson CUP #16-01

Ramona Phillips states that the hearing is now open to consider CUP #16-01 for a self service dog wash. Does any commission member wish to disqualify himself or herself for any personal or financial interest in this matter or does any commission member wish to report any significant ex parte or pre-hearing contacts?

Jim Nave is working through his employer to create the structural analysis to be submitted to the Building Official. He doesn't have any say if it will be approved or denied so therefor has no gain from this that would disqualify him from hearing the mater.

Ramona Phillips does any member of the audience wish to challenge the right of any commissioner to hear this matter? No one. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of the county in this matter? No one. Will staff please present their report.

Harold Black reviews the Staff Report proposing the Johnson's self service dog wash. Also explained the situation around it being an Ag exempt structure. There have been no written testimony for or against the permit.

Lola Johnson states her name and address for the record and informs the commissioners that she is the applicant. She explains all of the hoops that they have had to go through to get the structure ready and that they are still awaiting the final say from the building official to approve the building and she asks about approval with conditions that may apply.

Kim Tippet motions to approve the dog wash with the condition that the findings not be signed until the building has been approved by the building official.

Jim Nave seconds the motion [**Motion Passes 4-0-0**]

Harold Black states that findings will be drafted and signed once the building is approved and then the appeal process would begin but there is no one with standing to appeal.

Gibson CUP #16-03

Ramona Phillips states that the hearing is now open for considering CUP #16-03 for a home based occupation to sell irrigation parts. Does any commission member wish to disqualify himself or herself for any personal or financial interest in this matter or does any commission member wish to report any significant ex parte or pre-hearing contacts? Does any member of the audience wish to challenge the right of any commissioner to hear this matter? No one. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of the county in this matter? No one. Will staff please present their report.

Harold Black presents the Staff Report for the proposed home based occupation to sell irrigation parts. There have been no written testimony for or against the permit.

Jim Nave wants to know what they are selling and or displaying as far as signs to be sure that the applicant is aware of the sign article and wants to be sure that it won't be large parts in the front yard.

Tom Gibson states his name and address for the record and informs the commissioners that he is the applicant. They will be selling smaller irrigation parts focused more on repair and maintenance. They need a place for people to stop in and buy parts that they need quickly and also a place for the parts they can not keep on their repair trucks. They will be displaying a small sign in the front yard and are aware of the sign article and assures their sign will be within the articles guidelines.

Chris Bullat motions to approve CUP #16-03.

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

Harold Black will draft findings for the next meeting to be signed at which time the appeal process will begin but no one currently has standing for appeal.

Rawls CUP#16-04

Ramona Phillips states that the hearing is now open for considering CUP #16-04 for a Bed and Breakfast with possible horse boarding. Does any commission member wish to disqualify himself or herself for any personal or financial interest in this matter or does any commission member wish to report any significant ex parte or pre-hearing contacts? Does any member of the audience wish to challenge the right of any commissioner to hear this matter? No one. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of the county in this matter? No one. Will staff please present their report.

Harold Black reviews the Staff Report Proposing a Bed and Breakfast with optional horse boarding. There have been no written testimony for or against the permit.

Kim Tippet wants to be sure they are on site.

Chris Bullat notices that the property is for sale, and has been, are they wanting to get this permit in order to sell it at a higher price. He is also wondering if this property sells would the new owners be required to live on site.

Grady Rawls states his name and address for the record and informs the commissioners that he is the applicant and owner of the property. He reassures the commissioners that they will be living on site. The property is and has been for sale for many years and has not sold. This bed and breakfast is their plan to generate income for themselves until one day the house might sell.

Commission Members agree that horse boarding with bed and breakfasts is something that is needed in this county.

Harold Black states that if the property were to sell the new owners would have to live on site for it to operate as a bed and breakfast.

Kim Tippet motions to approve CUP#16-04.

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

Harold Black states that the findings will be drafted for next month meeting and then the appeal process will being, in which case once again there is no one with standing to appeal.

Other Business

The **Planning Commission** discussed the sign issue on the highway with the owner of Mountain View RV Park and determined that his sign, based on all of the evidence submitted by Scott, is a pre-existing non conforming use and is therefor"grand fathered" into service. This decision was motioned by Kim Tippet and Chris bullat seconded the motion with all commissioners in favor. Harold informs the Commissioners that the owner of the other facility in question has not responded to his attempts to resolve the issue so therefor some further measure will need to be taken. Harold will research what the next step is and keep the commissioners informed.

The **Planning Commission** also discussed the Point of Connections Traditional housing for parolee's and that this may not come before the commissioners after some discussions with Susan Roberts and Neil Isley.

The **Planning Commission** also discussed how the Rails and Trails and the Wildfire Plan will be affecting them and things that they need to start thinking about. Harold agrees to gather information from other counties on how the land use has been handled under railroads and for the rails to trails use. They will be amending articles and revising plans for the county.

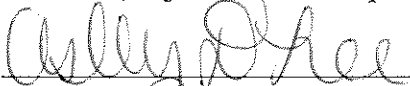
Harold Black informed the commissioners about some fee adjustments and time changes that they are adjusting for budget reasons.

Ramona Phillips wants commissioners to keep an eye and ear out for someone to fill the empty planning commission seat.

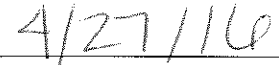
Kim Tippet motions to close the meeting.

Chris Bullat 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 8:30 p.m.



Ashley D Lee
Department Specialist



Date