



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

MINUTES

CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS
THURSDAY, JUNE 1, 2017
5:30 P.M.

I. CALL TO ORDER

II. ROLL CALL

In Attendance

Commissioners: Sherry DuFault, John Nelson, Mark Poppoff, Steve Ross and Jeff Stiles

Absent: Bruce Lavier

Staff: Planning Director Steve Harris, City Attorney Gene Parker, Senior Planner Dawn Hert, and Codes Enforcement Officer Nikki Lesich

III. APPROVAL OF AGENDA

Commissioner DuFault motioned to approve the agenda, Commissioner Ross seconded the motion. The motion passed unanimously.

IV. APPROVAL OF MINUTES

Commissioner Ross moved to approve the minutes; Commissioner Stiles seconded the motion. The motion passed unanimously.

V. PUBLIC COMMENT

Jonathan Blum
403 E. Eighth Street
The Dalles, OR 97058

Mr. Blum shared his concerns about the rental market and units available for rent in The Dalles. Blum owns multiple rentals in The Dalles and stated that based on the recent Housing Needs Assessment there is a shortfall of rental stock available in The Dalles. Blum would like the Commission to consider the way their decisions affect builders and developers. He encouraged the Commission to take positions and encourage

development of additional rental properties. Blum felt a limiting factor was the expense of building properties that would make a profit over an extended period of time.

Blum provided numbers on three properties. The average cost to “just stick a shovel in the ground” and get through planning, get plans drawn up, go through the approval process, pay System Development Charges (SDCs), and pay for Building Codes fees, recording and surveys is close to \$20,000. Blum is building small homes with small footprints, between \$50,000 and \$60,000. One-third of the cost winds up being the cost of going through the bureaucracy and doing the build. (This is the cost of building on residential lots already owned by Blum.)

Blum would like SDC fees deferred on projects developed as rentals. Another suggestion (something Portland has done in the past to support urban infill development) was to waive SDCs on Accessory Dwelling Units (ADUs). Blum stated there is dwindling property available to develop. He owns additional properties that would support ADUs but City codes prohibit him from building. Current code states he can build only one and it must be on his primary property.

Commissioner Moore requested that Blum write up proposals for discussion by the Planning Commission. Blum agreed to her request.

Vice Chair Nelson stated in the future the Commission would be working on the issue of infill. Blum expressed interest in working with the Commission to provide input or feedback.

VI. PUBLIC HEARING

CONDITIONAL USE PERMIT 186-17 – Applicant is requesting to site a new 1,537 square foot pre-fab classroom for staff, construct a 1,456 square foot addition to the existing Veteran’s Home building and construct a 3,042 square foot building to be used for storage. Property is located at 700 Veterans Drive and is further described as 1N 14E 6 tax lot 400. Property is zoned RL – Residential Low Density.

Vice Chair Nelson read the rules of a Public Hearing. Nelson then asked the Commission if they had any ex parte contact, conflict of interest or bias that would prevent an impartial decision; hearing none, Nelson opened the Public Hearing at 5:50 p.m.

Senior Planner Dawn Hert presented the Staff Report. Hert stated Chris Morris of CB Two Architects and John Osborne of Oregon Department of Veteran Affairs were available on speaker phone to answer questions.

Commissioner Poppoff asked if the addition would be permanent. Hert replied it was permanent.

Nelson inquired about the DEQ permit. Hert replied the disturbance of area over an acre required a 1200C DEQ permit as a condition of approval. Because the parcel was over an acre, this condition was added as a precaution.

Nelson asked if the walled area would be replaced with the proposed addition. Mr. Moore replied the wall would be removed and the same foundation would be used for the addition.

Nelson asked if the storage area exterior would have architectural elements. Hert replied architectural elements were required on both the classroom and storage area to meet code. Moore stated the storage building would replace non-compliant containers. The intent is that the storage area disappears as much as possible. The classroom would be similar to the existing clinic.

There were no proponents or opponents to the application.

Nelson closed the Public Hearing at 6:01 p.m. and invited deliberation.

DuFault moved to approve Conditional Use Permit 186-17 with proposed Staff conditions and according to the findings of fact. Ross seconded the motion; the motion passed unanimously.

VII. RESOLUTION

A. RESOLUTION 565-17 – Approving Conditional Use Permit 186-17

Stiles moved to approve Resolution 565-17; Moore seconded the motion. The motion passed unanimously.

B. RESOLUTION 564-17 – Approving Adjustment 17-026 and Minor Partition 337-17

DuFault motioned to approve Resolution 564-17; Ross seconded the motion. The motion passed unanimously.

VIII. DISCUSSION ITEMS

A. Planning Department Activity Reports

Code Enforcement Officer Nikki Lesich presented ordinance parameters for enforcement, Exhibit 1.

DuFault inquired about the guidelines for cars. Lesich replied cars were considered junk under the ordinance if they had expired tags, were disabled, storing junk, or had not moved in a long time.

Poppoff asked about cars left on private property. Lesich replied cars were considered junk if they had expired tags and were inoperable. However, cars on private property could remain on the property if stored with a fitted cover.

Nelson asked about rules for recreational vehicles (RVs). Lesich replied RVs on private property during a visit are not a problem. RVs in the public right of way for long periods of time are not allowed. Hert interjected that RVs on private property are limited to 48 hours. Enforcement for this situation is complaint driven.

Nelson asked if there was an attempt to eradicate puncture vine along Riverfront Trail. Lesich replied that maintenance of Riverfront Trail is contracted with

Northern Wasco Parks and Recreation. Lesich stated she would follow up with Parks and Recreation regarding puncture vine.

Moore and Stiles complimented Lesich on her enforcement efforts. Lesich thanked them, and then stated compassion is necessary when dealing with enforcement.

Nelson asked about a program that paid \$1.00 per bag of puncture vine. Lesich replied the program had ended. Participants were pulling the puncture vine after the optimal time to prevent reseeding.

Senior Planner Hert presented an overview of the Planning Department activity and procedures, Exhibit 2.

Nelson inquired about the size of the subdivision. Hert replied the Lone Pine subdivision recently approved was for 50 lots, part of a Planned Unit Development. This subdivision is all residential, stick built homes. All provisions for the signalization at the main entrance will be required. Roundabout construction will depend on a trip trigger generation.

B. Fiscal Year 2017/18 Work Program and Planning Department Budget

Director Harris provided an overview of the budget process. At the beginning of the budget season, Staff meets with the City Council to review goals previously established by the Council. Goals form the basis for major efforts in the coming year.

Implementation of the Buildable Lands Inventory, the Housing Strategies Report and the Housing Needs Assessment will constitute a major portion of our work effort this year.

Additional effort will go toward an update of the Community Vision Action Survey. The last survey in 2013 had a fairly high response rate. Council has directed Staff to update that survey dealing with various questions on community quality of life as well as questions specific to the downtown area. This survey will be used as a source of information and outreach for the Housing Studies. To encourage higher densities and residential infill, it's necessary to know how the community feels about that issue.

Harris stated the new Urban Renewal Agency Board has expressed interest in revisiting the currently adopted Urban Renewal Plan and some of the major projects included in that plan. New effort will focus on downtown.

Harris reviewed budget narratives included in the Agenda packet. Also reviewed were Budget Issue Papers prepared by Staff when a new program, project or staffing position constitutes a major change. Two were prepared this year, one for the Vision Action Plan and one for the creation of a Minutes Clerk position.

Nelson asked if the Minutes Clerk position would be off-site. Harris replied it would. The Minutes Clerk would be available to cover meetings if needed.

IX. STAFF COMMENTS

Harris stated a Public Hearing regarding A&P Recycling was scheduled for the June 15, 2017 meeting. Currently, there are no items for Public Hearing at the July 6, 2017 meeting; that meeting may be cancelled.

City Council held a Public Hearing on the proposed ordinance revision for marijuana separation requirements, screening and odor control. Council decided not to move forward with amending the ordinance on separation requirements. They also declined moving forward with screening and odor control.

X. COMMISSIONER COMMENTS OR QUESTIONS

Nelson noted the next scheduled meeting is June 15, 2017. This meeting and all subsequent meetings will begin at 6:00 p.m.

DuFault asked if there was assistance the Commission could provide to the Planning Department. Harris responded with suggestions to efficiently conduct meetings.

XI. ADJOURNMENT

Vice Chair Nelson adjourned the meeting at 7:08 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary


Mark Poppoff, Planning Commissioner

Codes Enforcement
Prepared for Planning Commission
Nikki Lesich, CEP
06/01/2017

Attached are the primary codes enforcement on General Ordinances

- *ABATEMENT OF PROPERTIES
- *VEGETATION CONTROL
- *RUBBISH, JUNK REMOVAL
- *TREE TRIMMING FOR PUBLIC RIGHT OF WAY (ROW)
- *JUNK RELATED TO VEHICLES AND VEHICLE PARKING RESTRICTIONS
- *NUISANCE AFFECTING PUBLIC HEALTH
 - STAGNANT WATER
 - BROWN WATER AND OTHER DRAINAGE ON PROPERTIES
 - ANIMAL CARCASS DISPOSAL
- *CLEAR VISION REQUIREMENTS (VEGETATION CONTROL/PLANTING)
- *BURNING BARRELS PROHIBITED; BURNING RESTRICTIONS
- *DANGEROUS BUILDING INSPECTION AND/OR DEMOLITION
- *SNOW / ICE REMOVAL
- *SIDEWALK MAINTENANCE AND OWNER RESPONSIBILITY
- *USING RECREATIONAL VEHICLES FOR SLEEPING PURPOSES
- *ANIMAL PERMIT PROCESS AND ENFORCEMENT FOR VIOLATIONS
 - NOISE
 - ODOR
 - NO PERMIT
 - LACK OF CONTAINMENT ON PROPERTY
- *GARAGE SALE SIGNS / NOTICES AND ADVERTISEMENTS
- *TRANSCIENT MERCHANT LICENSE CONFORMATION

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 Codes Enforcement
 Nikki Lesich, CEP
 06/01/2017

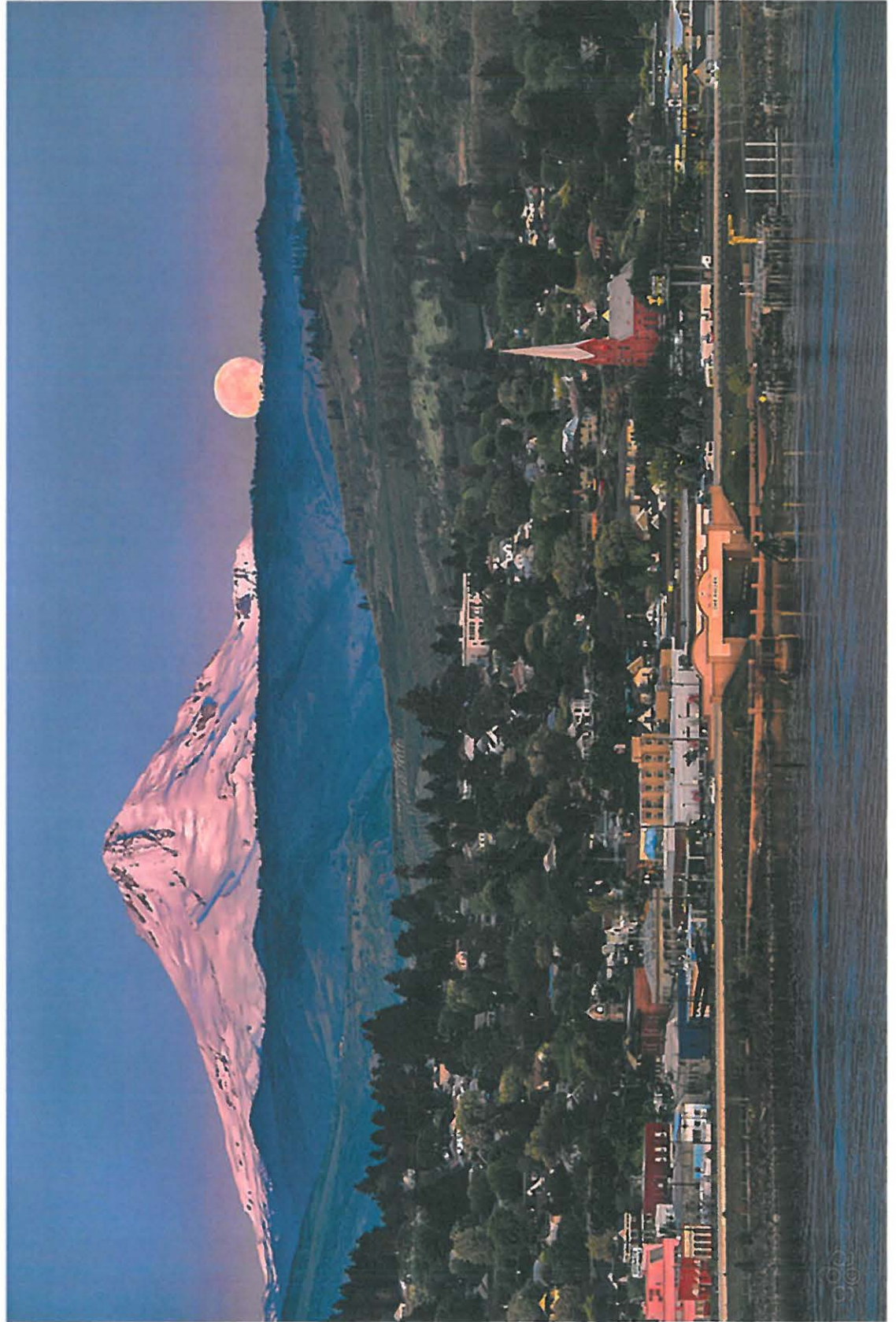
The process of a property abatement and timelines:

*Property complaint and/or CEO siting: a letter is generated to the owner and resident of the property giving a **2-week timeline** to bring the property into compliance. A **reinspection date is set for the day** of or shortly after. **If the reinspection shows that the property is in compliance, the case is closed.** **If the property is not in compliance, a second letter is generated** and sent as a certified letter to the owner and the property is posted for abatement. Posting is put on the door and/or fencing of the property **with another 2-week timeline** to bring the property into compliance. The property is reinspected after that timeline. **If compliance not met, I prepare an administration warrant.** The warrant is sent to Legal Department (Gene) for review and then it goes to our Municipal Judge for signatures. Once the warrant is active, I send out to our contractors of record **an email for bid and scope of work** on properties with a deadline. Once I have granted the lowest-bid contractor, we set up a time and date for the abatement. **Most abatements take just one day.** I meet at the site with the (there is a 10-day in-effect timeline for the warrant issued; abatement must be done by the 10th day) contractor to review the scope of work. I return to the site about an hour before they are expecting to complete the abatement to do a walk through and make sure all violations are in compliance. Once I've seen that the property is in full compliance, I release the check request for the contractor for payment to the Planning Director for signature to go to Finance for payment. A copy of the contract and the billing goes to the City Clerk to be posted with the County as a lien upon the property. A copy goes to Contractor. A copy stays in my Codes Files with properties that have been abated. Finally, a Return Warrant document is signed and sent to the City Court Clerk for filing.

This is an example of a case that has no response to either of my letters in regards to the violations and compliance concerns. **Rarely, is the process that simple.** My goal is to have the property owner (and in some cases, the bank/lending institution) to voluntarily comply. That may mean working with the person and/or agency responsible for the property within a reasonable timeline. It may mean that there is a hardship case and the use of my Voucher Funding for dump fees can initiate or conclude the cleanup to bring the property into compliance. **My abatement budget will not allow for a slam-dunk compliance attitude for enforcement. Cost for abatements, legal, judicial and police departments can rack up quickly on an abatement. Working with the responsible property owner is the most successful and affects my line item budget for this services and has been the philosophy of the legal department.**

In some cases, the legal department is very involved. This, too, can slow the process. There will be cases when I will request a Police Officer to be with me when towing, delivering a warrant for abatement or in doing a site inspection. Many areas I do site reviews or follow through on compliance can be dangerous places with people well-known to the police.

The Dalles Planning Department





Annual Permit Totals

2015:

Stick – 29

Manufactured – 2

Multi- Family – 0

Commercial – 13

Other Permits - 38

2016:

Stick – 13

Manufactured – 17

Multi- Family – 0

Commercial – 24

Other Permits - 67

2017 year to date:

Stick – 7

Manufactured – 6

Multi- Family – 2

Commercial – 9

Other Permits - 29

Land Use Applications & Other

	<u>2015</u>	<u>2016</u>	<u>2017 to date</u>
Sign Permits	56	85	36
Adjustments	2	4	2
Minor Partitions	7	11	4
Site Plan Review	6	8	3
Conditional Use Permit	6	4	3
Home Business Permit	1	1	0
Property Line Adjustment	5	10	2
Subdivision	0	0	1
Variances	1	1	0
LUDO Amendments	1	2	2
Site Team Pre-Applications	20	36	10
Historic Landmarks Applications	5	5	0
Annexations	0	0	0

Counter Walk –Ins & Phone Calls

Front Desk	Feb	Mar	April	May
Walk In	104	112	101	175
Phone	74	101	100	175

Exhibit 2

City of The Dalles Building Permit Information - Housing Units

6/1/2017

MONTH	TYPE	2009	2010	2011	2012	2013	2014	2015	2016	2017
January	Stick	0	3	0	1	2	1	1	0	3
	Manuf.	0	0	0	1	0	1	0	1	0
	Multi-Fam	0	0	0	0	0	0	0	0	0
	Comm	2	2	1	0	0	0	1	0	0
	Other							0	3	2
February	Stick	0	2	0	0	2	2	1	4	2
	Manuf.	0	0	0	1	0	0	0	0	0
	Multi-Fam	0	0	0	0	0	0	0	0	0
	Comm	0	1	0	0	0	0	1	0	3
	Other							4	4	4
March	Stick	0	0	0	0	0	0	0	1	1
	Manuf.	0	1	0	1	0	1	0	5	1
	Multi-Fam	0	0	0	0	0	0	0	0	0
	Comm	1	0	0	0	0	0	1	0	2
	Other							3	5	12
April	Stick	0	0	0	0	5	0	5	4	1
	Manuf.	0	0	1	0	0	1	1	1	0
	Multi-Fam	0	0	0	0	0	0	0	0	2
	Comm	0	1	0	0	1	1	2	2	3
	Other							3	10	8
May	Stick	1	1	1	1	0	4	1	0	0
	Manuf.	1	0	0	1	0	0	1	1	5
	Multi-Fam	1	0	1	1	0	0	0	0	0
	Comm	2	1	1	0	0	2	0	2	1
	Other							5	5	3
June	Stick	0	2	1	1	1	1	11	1	
	Manuf.	0	0	1	0	0	0	0	2	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	0	0	0	0	0	0	3	4	
	Other							3	7	
July	Stick	2	2	0	0	1	0	0	0	
	Manuf.	1	0	0	0	1	0	0	0	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	0	2	1	2	0	0	2	0	
	Other							5	3	
August	Stick	2	0	1	0	1	0	1	1	
	Manuf.	0	1	0	1	0	0	0	4	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	1	2	0	0	1	1	1	2	
	Other							4	8	
September	Stick	1	0	1	1	0	3	5	1	
	Manuf.	2	0	1	0	0	0	0	0	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	0	0	0	0	1	0	1	5	
	Other							1	8	
October	Stick	1	2	0	1	1	0	3	0	
	Manuf.	0	0	1	2	0	0	0	1	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	0	0	0	0	1	1	1	7	
	Other							5	5	
November	Stick	1	0	0	0	0	1	1	0	
	Manuf.	0	0	1	0	0	0	0	0	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	0	1	0	0	1	0	0	0	
	Other							1	7	
December	Stick	0	0	1	0	4	0	0	1	
	Manuf.	0	0	0	1	0	0	0	2	
	Multi-Fam	0	0	0	0	0	0	0	0	
	Comm	1	0	0	1	1	1	0	2	
	Other							4	2	
Year Total:	Stick	8	12	5	5	17	12	29	13	7
	Manuf.	4	2	5	8	1	3	2	17	6
	Multi-Fam	1	0	1	1	0	0	0	0	2
	Comm							13	24	9
	Other							38	67	29