

MINUTES OF THE PLANNING COMMISSION MEETING  
September 18, 1997  
City Hall Council Chambers, 313 Court Street

CALL TO ORDER

The regular meeting of the City of The Dalles Planning Commission was called to order by Vice Chairman Walter Hoffman at 6:30 P.M.

ROLL CALL

Present Bruce Lavier, David Peters, Walter Hoffman, Jerry Wilson and Jim Coggins.

Absent Marrienne Barrett and Tom Quinn

Staff Sallie Morgan, Administrative Secretary  
Tom Boyatt, Planner  
Katie Skakel, Associate Planner

PUBLIC COMMENT: There was no public comment.

MINUTES

Hoffman addressed the minutes of the September 4, 1997 Planning Commission meeting.

Boyatt had two corrections to the minutes. He said on Page #3 the person who came to speak was Kevin Martin from Sprint PCS.

Peters moved to approve the minutes of the September 4, 1997 with corrections. Lavier seconded and the motion was passed unanimously; Wilson abstaining and Quinn and Barrett absent.

PUBLIC HEARING-QUASI-JUDICIAL

SITE PLAN REVIEW 244-97 of William and Bonnie Pettyjohn to construct vehicle ramps to first floor and basement on the northwest corner of building and an entrance ramp on the south side of the building. Property is located at 207 Laughlin, described as IN-13-3BD, tax lot(s) 1500 and 1600, zoned "CB" Central Business.

Vice-Chairman Hoffman read the rules for a Quasi-Judicial hearing and asked if any Commissioner wished to declare bias, ex-parte contact or conflict of interest.

Hearing None Hoffman asked for a staff report.

Skakel summarized the staff report in which staff recommends approval with conditions based on the finding of fact.

**PROPONENT:** Alvin Scott, 810 West 9th said he has been assisting the owner, Bill Pettyjohn, with the building of the vehicle ramps. He said that he saw no problems with traffic for either entrance.

Commissioner Hoffman asked if the building was occupied at the present time.

Scott said the building was partially occupied.

**OPPONENT:** None

The public part of the hearing was closed.

Commissioner Wilson said he thought the vehicle ramp was a reasonable request.

Commissioner Hoffman asked what the current permitted uses for this zone was.

Skakel went through a list of permitted uses from the Zoning Ordinance. She said light manufacturing was permitted in this zone.

Boyatt stated that the older building around town had varied businesses operating in them and suggests that if the use has been permitted in the past and changes to something similar to that use, it should continue to be permitted.

Peters moved to approve Site Plan 244-97 with conditions. Wilson seconded and the motion was passed unanimously; with Quinn and Barrett absent.

**SITE PLAN REVIEW 245-97** of Bill and Jo Dodson to expand business (Kennelly Glass) for needed storage. Property is located at 616 East 3rd Street, described as IN-13-3DB, tax lot 1800, zoned "CB" Central Business.

Skakel summarized the staff report in which the staff recommended approval based on the findings on fact. Skakel said that the

recommended square footage for that area is 60 square feet. She said the applicant has proposed 50 square feet, so 10 square feet will need to be added.

**PROPONENT:** Bill Dodson, Sr., 1033 Irvine West said the storm drainage seemed adequate for the expanded building. He said it would not be a problem to add 10 square feet to the landscaping.

**PROPONENT:** Bill Dodson, Jr., owner of the business, said he needs more room because the business is expanding.

The public part of the hearing was closed.

Coggins moved to approve Site Plan 245-97 with conditions. Lavier seconded and the motion was passed unanimously; Barrett and Quinn absent.

**ZONING ORDINANCE 63-97** to review an amendment proposing to allow residential dwellings existing as of May 1, 1997, as an outright permitted use in the CN-Neighborhood Commercial Zone District.

Boyatt said the Planning Commission must once again recommend to City Council the language for the Zoning Ordinance amendment.

Boyatt read the language for the existing Neighborhood Commercial Zone District. He said they were adding a new subsection 13 to section 12.2 A , which read "Any residential dwelling existing as of May 1, 1997, providing the dwelling is adequately served by City water and sanitary sewer." Boyatt said the amendment should be discussed and then a motion would be made to recommend it to the City Council for approval.

Peters made a motion to approve Zoning Ordinance Amendment 63-97. Wilson seconded and the motion was carried unanimously; Quinn and Barrett absent.

**ZONING ORDINANCE 64-97** to review amendment proposing to add a subsection to Section 19 which would regulate Wireless Telecommunications facilities.

Boyatt said he would like to review the comments from the previous Planning Commission meeting and also review the comments from Kevin Martin of Sprint PCS. He said after the discussion the Commission would need to make a motion to direct staff to draft the final language for the amendment, then the amendment would come back to the Commission on October 2, at the Commission meeting at which it will need to be recommended back to the Council for final approval.

Boyatt said at the last review some of subjects that were discussed were the FAA clear zones, new facilities on existing structures, and Historical Landmark Commission's Criteria for reviewing these areas. He said they would also discuss the effect on the horizon or the "blue sky effect". The Commission's general consensus was not to pursue this subject. Boyatt then discussed the comments made by Kevin Martin of Sprint PCS. Martin states that he has reviewed the proposed ordinances and wishes to submit the following comments and suggestions. Section 19.2.1 shows that the City is seeking to regulate the "number" of wireless communication facilities. He states that this language may be contrary to a section of the Telecommunications Act. He states that collocation should be encouraged. Boyatt recommends the language that is already in place be kept. The consensus of the Commission was to keep the language as it is. Section 19.2.5 Review Criteria(D). Martin suggests that this section be deleted because in his opinion, wireless communication facilities creates only one adverse condition. That condition is visual, which is already addressed in "Review Criteria (C). After discussion from the Commission, Wilson stated that the language was redundant. Lavier indicated that there could be other adverse impacts in addition to visual impacts. After further discussion, the Commission agreed to keep Review Criteria(D). Section 19.2.5 Review Criteria (E), Martin states that the setback requirements are too extensive and would exclude highly desirable locations. He refers to Lake Oswego's language where they allow creativity in siting facilities. Boyatt said he agrees with the Lake Oswego language and likes the fact that some properties would offer more foliage for screening the towers. The Commission agreed. Section 19.2.5 Review Criteria (I), Martin states that landscaping should be reviewed on a case-by-case basis. He said a dense continuous hedge is not always desirable because it is a target for vandalism when it used to cover expensive equipment. Boyatt and the Commission agreed to amended the language to review on a case-by-case basis. Section 19.2.5 Review Criteria (J) Martin states that the 30dBA and 45dBA were too stringent and telecommunication should be subject to the same standards as all other development in The Dalles. Boyatt said he would get the standards from DEQ to see if ours were more stringent than theirs and add some performance language. The commission agreed. Section 19.2.6 Five Year Review Criteria, Martin states that the provision is unacceptable because it isn't practical for wireless communication because they negotiate their leases for 20-25 years and this would discourage collocation. Martin said an attachment from the City of Vancouver stating that if a wireless communication support structure is not operated for a period of (12) months it shall be removed by the owner of the property. Boyatt said he was concerned about certain parts of the language used in the attachment from the City of Vancouver. He said if a company were

to go bankrupt and walk away from their responsibilities then it would be up to the property owner to remove the equipment from the support structure.

Commissioner Wilson asked why there was a five year review.

Boyatt stated that it was a mechanism for the City to keep informed because technology was constantly changing.

Commissioner Wilson said it was not up to the City to tell businesses to vacate a structure because their technology was behind. He said as long as they were still operating they should be left alone.

The Commission agreed there were good suggestions in what Martin said and Boyatt said some of language could be changed.

Section 19.2.7 Financial Guarantee: Martin stated he was not opposed to supplying a tower removal bond but feels it should be written as follows: "The applicant shall post a financial guarantee in the amount and form approved by the City Attorney to ensure proper removal of the facility when required by section 19.2.6." The consensus of the Committee was in agreement.

#### **RESOLUTION SUBJECT TO COMMISSION APPROVAL**

**Resolution No. 380-97** approving Site Plan Review 244-97 of William and Bonnie Pettyjohn to construct vehicle ramps to first floor and basement on northwest corner of building and an entrance ramp on the south side of the building. Property is located at 207 Laughlin.

Lavier moved to approve Resolution 380-97 with conditions. Peters seconded and the motion was carried; Barrett and Quinn absent.

**Resolution No. 381-97** Approving Site Plan Review 245-97 of Bill and Jo Dodson to expand business (Kennelly Glass) for needed storage. Property is located at 616 East 3rd Street.

Peters moved to approve Resolution 381-97. Lavier seconded and the motion was carried unanimously; Barrett and Quinn absent.

COMMISSION COMMENTS AND CONCERNS

Boyatt said more time would have to be spent on the LUDO workshop. He set a date of October 9, at 6:30pm.

NEXT PLANNING COMMISSION MEETING

Next meeting of the Planning Commission will be October 2, 1997.

ADJOURNMENT

The meeting was adjourned at 7:20 PM

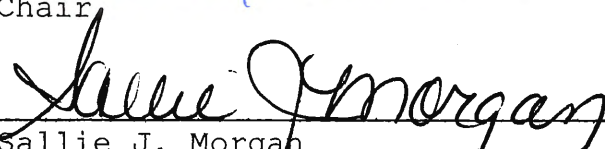
WORK SESSION

A work session was not conducted.

ADJOURNMENT:

The meeting was adjourned at 8:30 P.M.

  
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Chair

  
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Sallie J. Morgan  
Administrative Secretary