



**CITY OF THE DALLES PLANNING COMMISSION MINUTES**

**THURSDAY, SEPTEMBER 7, 2000**

**CITY HALL COUNCIL CHAMBERS**

**313 COURT STREET**

**THE DALLES, OREGON 97058**

*Conducted in a handicap accessible room*

**CALL TO ORDER**

The meeting was called to order at 6:32 p.m. by Vice Chair Bruce Lavier.

**ROLL CALL**

Vice Chair Lavier conducted the roll call, citing the following:

Members present: Bruce Lavier, Chris Zukin, Jean Thomas, Eric Nerdin

Members absent: Walt Hoffman, Anita Payne, Mark Poppoff

Staff members present: Bob Paul, Senior Planner; Pat Carter, Administrative Secretary

**APPROVAL OF THE AGENDA**

Senior Planner Bob Paul requested a change in the agenda:

Removal of the Public Hearing/Evidentiary Hearing for LUDO Amendments

Zukin moved to approve the agenda as amended. Nerdin seconded. The motion carried unanimously; Hoffman, Payne and Poppoff absent.

**APPROVAL OF THE MINUTES**

It was decided to carry the approval of the minutes of the August 17, 2000, meeting to the next scheduled meeting.

**STAFF COMMENTS/INTRODUCTION OF PLANNING COMMISSIONERS**

Paul introduced the two new members of the Commission that were present, Eric Nerdin and Jean Thomas.

The meeting was then conducted as an orientation for the new members. Paul explained the planning laws for Oregon, along with a history. He explained the Comprehensive Plan and LUDO. He further explained the process an application goes through from the time it is submitted to the Planning Department until it gets to the Planning Committee. He explained the staff duties as well as the Planning Committee duties.

Zukin made the suggestion that the committee make the public as welcome as possible at the meetings.

Lavier suggested that a larger map of the area involved be included in the applications, along with a smaller, centralized map of the area.

**COMMISSIONER COMMENTS AND CONCERNS**

None

**NEXT MEETING DATE**

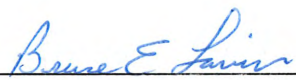
The next scheduled meeting date will be September 21, 2000.

**ADJOURNMENT**

The meeting was adjourned at 7:33 p.m.

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Submitted by Pat Carter, Administrative Secretary

  
\_\_\_\_\_  
Bruce Lavier, Vice Chair

# City of The Dalles

## STAFF REPORT

Rezone  
And  
Comprehensive Plan Map Amendment  
ZOA 65-00

City of The Dalles

Prepared by: Bob Paul, Senior Planner

Procedure Type: Legislative

Hearing Date: September 21, 2000

Assessor's Map: Township 2 North, Range 13 East, Map 32AD

Tax Lot: 1000

Address: 2424 West 7<sup>th</sup> Street

Comprehensive Plan Designation: "C" Commercial

Zoning District: "CG" General Commercial

**SYNOPSIS:** This parcel was changed from mobile home residential to general commercial in error. Additionally, this error was not discovered during the 1994 Comprehensive Plan map update. This error was then compounded with the 1998 Zoning Map approval. Although it can be argued that the property owner was responsible for ensuring the zone was correct during both of these public processes, the City would rather correct this error with minimal inconvenience to the property owner and not become involved in a "finger pointing" debate.

This parcel currently has two distinct uses. One use is that of a commercial glass business. The other use is a single-family home (manufactured). Both the business and home are used and occupied by the property owner, Bob Cole. The zone to the west is mobile home residential; this zone is currently used in this manner. The zone to the east is commercial; it is also used commercially. The parcel in question can be developed either commercially or residentially. Mr. Cole has plans to pursue residential options.

**NOTIFICATION:** City ordinance 98-1222 states that legislative changes such as this proposal are required to have a notice published in The Dalles Chronicle at least ten days prior to the public hearing. This notification was published on September 11, 2000.

**COMMENTS RECEIVED:**

At the time of the writing of this staff report, no comments have been received.

**RECOMMENDATION:**

Approval.

**A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222:**

**Section 3.010.040, Applications:**

*Subsection B. Completeness.*

**FINDING A-1:** This application is complete.

*Subsection F. Applications for Legislative Actions.*

**FINDING A-2:** This application meets all required submittal criteria as stated within this ordinance.

**Section 3.020.060, Legislative Actions:**

*Subsection A. Decision Types, 3. Comprehensive Plan Map Amendments.*

**FINDING A-3:** This application is for a legislative action. This includes a comprehensive plan map amendment from commercial to residential and zone change on zoning map from General Commercial to Mobile Home Residential.

*Subsection B. Public Hearings.*

- 1. The Commission shall hold at least one legislative public hearing to review applications for legislative actions and, by duly adopted resolution, make a recommendation to the Council to approve, approve with conditions, or deny the request.*
- 2. The Council shall hold a legislative hearing on applications for legislative actions within 30 days of the date of the Planning Commission or, where appropriate, the Historic Landmarks Commission resolution recommending approval, conditional approval, or denial of the request.*
- 3. Legislative hearings shall be conducted per the procedures of Section 3.020.070: Public Hearings.*

4. *Unless otherwise ordered by the Commission or Council, the Director shall take completed applications for legislative actions in the order in which they are filed.*
5. *The burden of proof is placed on the applicant seeking a legislative action.*
6. *The applicant's attendance is required at the prescribed public hearing for the actin, unless otherwise authorized by the hearings body.*

**FINDING A-4:** This criteria will be satisfied through this process.

*Subsection C. Notice of Hearing. At least 10 days before the legislative hearings of the Historic Landmarks Commission, the Planning Commission, or the Council, notice of the hearing shall be published in a newspaper of general circulation. Such notice shall:*

1. *Explain the application and proposed amendment(s), change(s), or use(s) which could be authorized.*
2. *List the applicable Ordinance standards and/or criteria...*
3. *Set forth the geographical reference to the subject area.*
4. *State that in order to preserve any potential appeal rights to LUBA, persons must participate either orally or in writing in the legislative action proceeding in question.*
5. *Include the name and telephone number of the Director to contact for additional information.*

**FINDING A-5:** Notice of Public Hearing was published in The Dalles Chronicle on September 11, 2000. This notice provided the information elucidated above. Notice of public hearing requirements have been met.

*Subsection D. Decision on Legislative Actions. The Council's decision shall be an ordinance adopted by majority vote, signed by the Mayor, and based upon and accompanied by a brief statement that includes:...*

**FINDING A-6:** The decision has not been reached.

*Subsection E. Final Decision.*

**FINDING A-7:** The decision has not been reached.

*Subsection F. Notice of Decision.*

**FINDING A-8:** The decision has not been reached.

*Subsection G. Effective Date of Decision.*

**FINDING A-9:** The decision has not been reached.

*Subsection H. Appeal.*

**FINDING A-10:** The decision has not been reached.

3.100.30      *Review Criteria*

- *Conformance. The proposed Zone Change conforms with the Comprehensive Plan and all other provisions of this ordinance.*

**FINDING A-11:** This application will change both the comprehensive plan map and zoning map.

- *Suitability. The site is adequate in size and shape for uses normally allowed by the proposed zone.*

**FINDING A-12:** This site is adequate in size and shape for uses normally allowed by the proposed zone.

- *Streets and Traffic. The site is, or will be, adequately served by streets for the type and volume of traffic generated by uses that may be permitted in the new zone.*

**FINDING A-13:** No new streets are required for this application.

- *Adverse Effect. The proposed Zone Change shall have minimal adverse effect on existing and future surrounding development.*

**FINDING A-14:** This zone change will complement the developed residential use to the west by eliminating the possibility of increased commercial activity distracting from quiet enjoyment of property.

## **B. Comprehensive Plan (June 1994):**

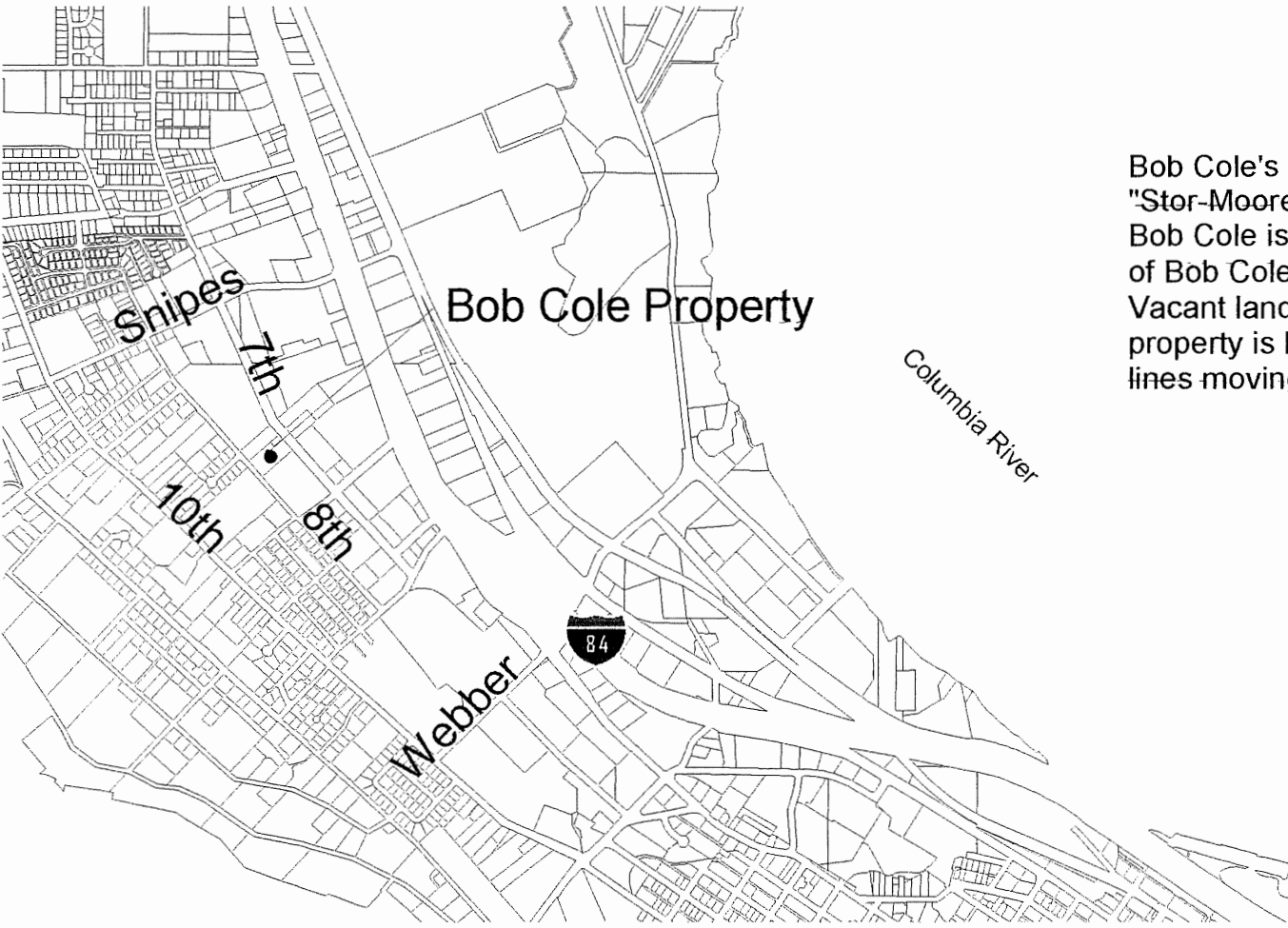
**Goal #2 Land Use Planning** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**FINDING B-1:** This proposal is in accordance with the City of The Dalles Comprehensive Plan by providing additional land for both residential development. The proposed comprehensive plan map and zone map amendments are consistent with The Dalles policies.

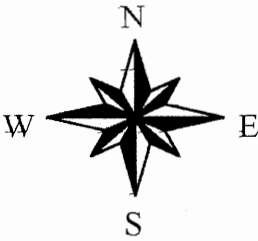
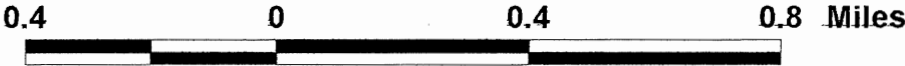
## **C. Conclusion:**

The above findings demonstrated substantial compliance with both the Land Use and Development ordinance and the Comprehensive Plan. This proposal is consistent with both the City of The Dalles Comprehensive Plan and Land Use Development Ordinance.

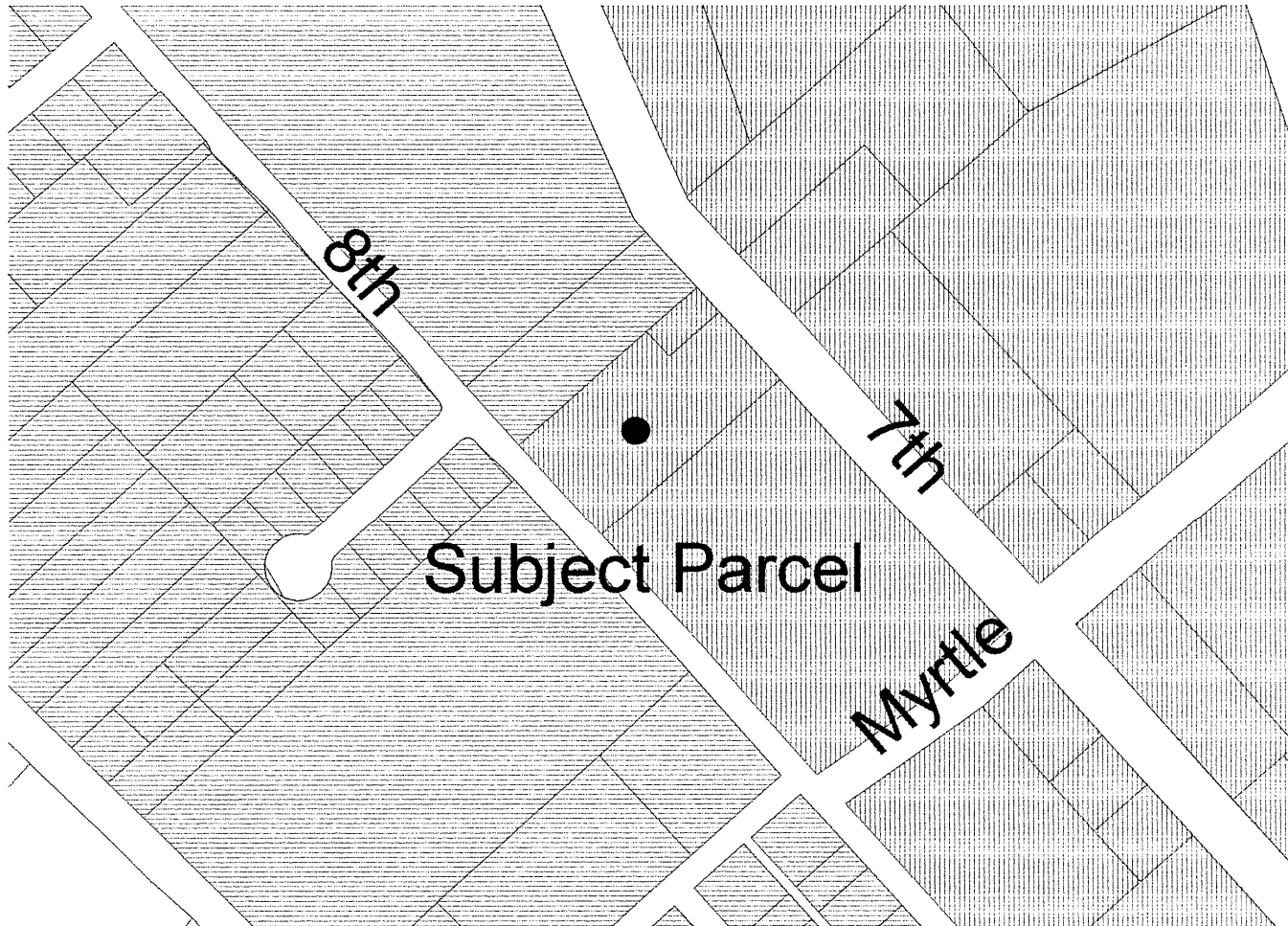
# Vicinity Map



Bob Cole's property is located next to "Stor-Moore Self-Storage". Additionally, Bob Cole is "Bob's Glass". The other side of Bob Cole's property is used residentially. Vacant land exists across 7th Street. This property is located next to the large cable power lines moving in a north-south direction.



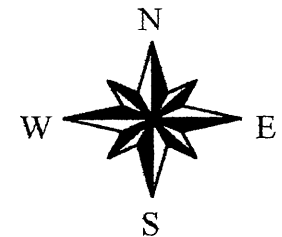
# Bob Cole Zone Correction



This parcel was originally Mobile Home Residential. Through the course of map revisions and amendments, this parcel changed to commercial. This application is to correct this error.

-  Mobile Home Residential Zone
-  General Commercial Zone
-  Property Lines

200 0 200 400 600 800 Feet



CITY OF THE DALLES  
COMMUNITY & ECONOMIC DEVELOPMENT  
313 COURT STREET  
THE DALLES, OREGON 97058  
tel (503)296-5481 EXT. 125  
fax (503)298-2747

ZNC NO. \_\_\_\_\_  
DATE FILED \_\_\_\_\_  
HEARING DATE \_\_\_\_\_  
FILING FEE \_\_\_\_\_

**CITY OF THE DALLES**  
**ZONE CHANGE APPLICATION**

Application is hereby made to the City of The Dalles for a change to the official City of The Dalles Zoning Map.  
*If there are additional applicants or legal owners please provide the information on a separate piece of paper.*

**APPLICANT**

City of The Dalles  
Name Nolan Young, City Manager  
313 Court Street  
Address  
The Dalles, OR 97058  
(541) 296-5481  
Telephone #

**LEGAL OWNER**

Robert A. Cole  
Name  
2424 W. 7th Street  
Address  
The Dalles, OR 97058  
(541) 296-2468  
Telephone #

\* If applicant is not the legal owner, attach one of the following:

- owner consent letter; or
- copy of earnest money agreement; or
- copy of lease agreement.

**PROPERTY LOCATION**

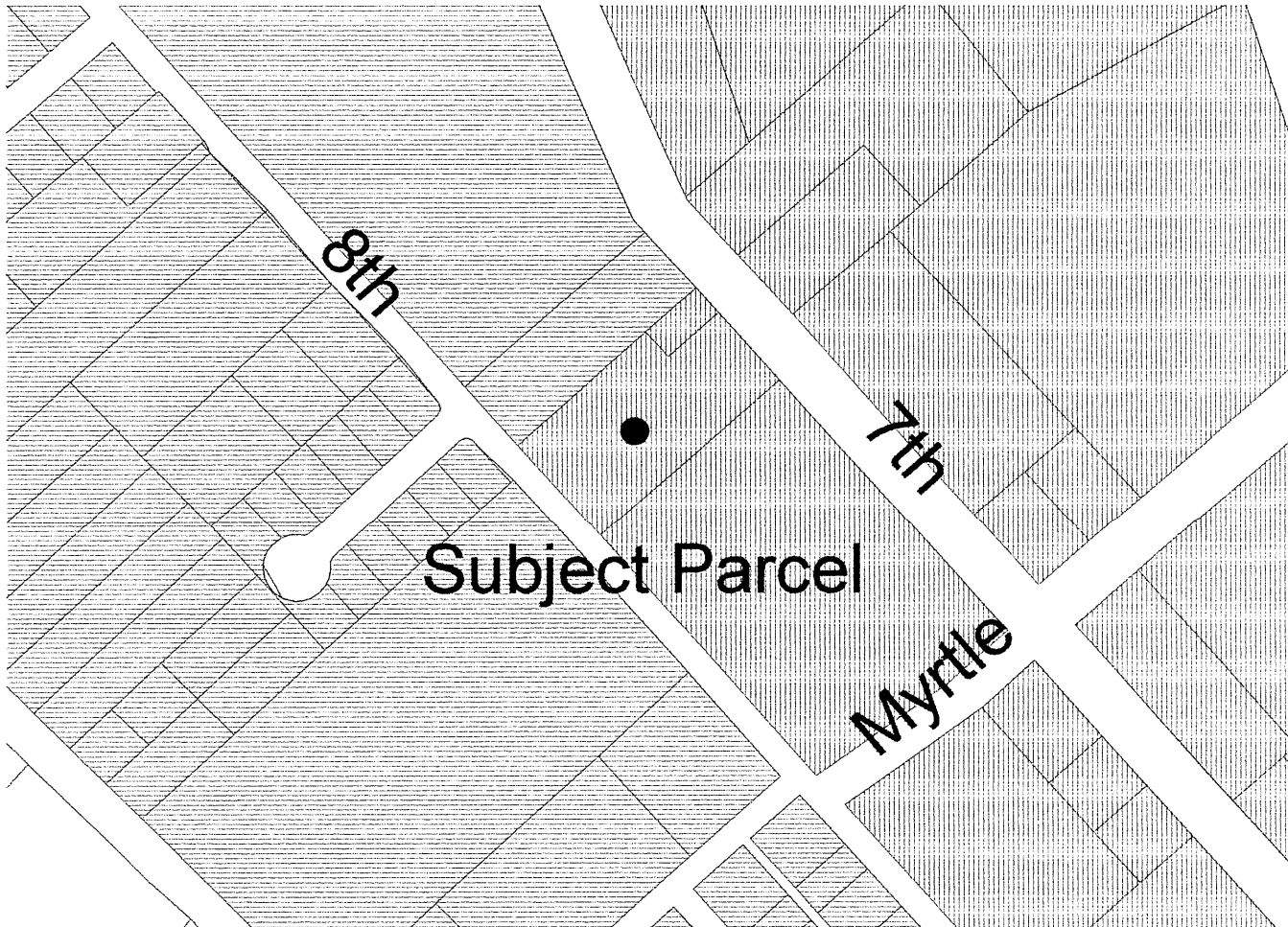
Street Address or Description \_\_\_\_\_  
Township 2N, Range 13E, Section 32AD, Tax Lot (s) 1000  
Zone CG, Plan Designation C, Lot Size 1.37 acres  
Current use of property: Mixed use home and glass shop

**REQUEST**

Correct mapping error. This parcel was changed from mobile home  
Briefly explain request  
residential to general commercial in error. The City intends to  
correct this error with minimal inconvenience to the property owner.  
\_\_\_\_\_  
\_\_\_\_\_



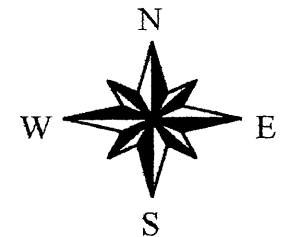
# Bob Cole Zone Correction



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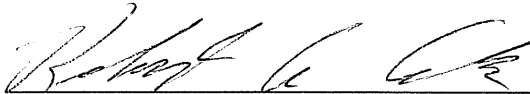
-  Mobile Home Residential Zone
-  General Commercial Zone
-  Property Lines

200 0 200 400 600 800 Feet



OWNER CONSENT LETTER

My name is Bob Cole and I live at 2424 West 7<sup>th</sup> Street. I authorize the City of The Dalles to apply for and receive a zone change for my property as addressed above. My parcel is currently zoned general commercial and this application is to return it to mobile home residential.



---

Bob Cole

September 8, 2000

Monday, September 11, 2000 A11

Comprehensive Plan Amendment 26-00 - The City of The Dalles is making application to amend the Comprehensive Plan map of the City of The Dalles. The proposal is to extend the Urban Growth Boundary to the north to include parcels 2N 13E Map 2.1 tax lots 600 and 700. The two parcels will be included in the Industrial Zone.

City Ordinance 98-1222 details a list of all allowable uses. Review criteria is contained in this ordinance.

In order to preserve any potential appeal rights to LUBA, persons must participate either orally or in writing in the legislative action proceeding in question. Please contact Bob Paul, Senior Planner at (541) 296-5481 extension 152 for any additional information.

#### PLAIN ENGLISH

The purpose of applications CPA 26-00 and ZOA 65-00 is to correct map errors. CPA 26-00 moves the Urban Growth Boundary back to its original location. It appears this line was mistakenly moved and the error was recently discovered by the Port of The Dalles. ZOA 65-00 changes a zone back to its original designation. It appears this zone was changed in error and not discovered until recently.

Land Use and Development Ordinance (LUDO) and Sign Ordinance. Public hearing on proposed LUDO and Sign Ordinance Amendments.

All information relating to the application and review criteria is available at, and comments may be delivered to, the Community Development Department, phone (541) 296-5481. Comments must be received by the hearing date, or may be presented at the hearing. The meeting will be conducted in a handicap accessible meeting room. Anyone requiring accommodations may call the office of the City Clerk, (541) 296-5481, extension 120, Monday through Friday, from 8:00 a.m. to 5:00 p.m. to make arrangements.

September 11, 2000

#8745

#### NOTICE OF PUBLIC HEARING

The City of The Dalles Planning Commission will hold a public hearing on Thursday, September 21, 2000, at 6:30 p.m. The meeting will take place in the City Council Chambers at City Hall, 313 Court Street, The Dalles, Oregon. The purpose of the hearing is to receive public testimony regarding the following applications:

Zoning Ordinance Amendment #65-00 - The City of The Dalles is making application to change the land use zone designation of a parcel addressed 2424 West 7th Street (2N 13E 32AD tax lot 1000) from General Commercial to Mobile Home Residential.

The change in authorized uses are primarily from commercial to residential. City Ordinance 98-1222 includes a comprehensive list of specific use types. Review criteria for this zone change is contained in City Ordinance 98-1222.

In order to preserve any potential appeal rights to LUBA, persons must participate either orally or in writing in the legislative action proceeding in question. Please contact Bob Paul, Senior Planner at (541) 296-5481 extension 152 for any additional information.

CITY OF THE DALLES  
COMMUNITY & ECONOMIC DEVELOPMENT  
313 COURT STREET  
THE DALLES, OREGON 97058  
tel (503)296-5481 EXT. 125  
fax (503)298-2747

CPA NO. \_\_\_\_\_  
DATE FILED \_\_\_\_\_  
HEARING DATE \_\_\_\_\_  
FILING FEE \_\_\_\_\_

**CITY OF THE DALLES**

**COMPREHENSIVE PLAN AMENDMENT APPLICATION**

Application is hereby made to the City of The Dalles for approval of an amendment to the Comprehensive Plan of the City of The Dalles.

*If there are additional applicants or legal owners please provide the information on a separate piece of paper.*

**APPLICANT**

City of The Dalles  
Name Nolan Young, City Manager  
313 Court Street  
Address  
The Dalles, OR 97058  
(541) 296-5481, ext. 118  
Telephone #

**LEGAL OWNER**

Port of The Dalles/NW Aluminum  
Name  
3636 Klindt Drive/3313 W. 2nd St.  
Address  
The Dalles, OR 97058  
Telephone #

\* If applicant is not the legal owner, attach one of the following:

- owner consent letter; or
- copy of earnest money agreement; or
- copy of lease agreement.

**PROPERTY LOCATION**

Street Address or Description \_\_\_\_\_  
Port: 2N, Range 13E, Section 21, Tax Lot (s) 700  
Township 2N, Range 13E, Section 21, Tax Lot (s) 600  
Zone Out, Plan Designation Out, Lot Size \_\_\_\_\_  
Current use of property: Undeveloped

**REQUEST**

Correct map error. Two parcels of Northern UGB line "fell off"  
Briefly explain request  
recently adopted maps. This application will serve to place them  
back inside UGB and under City of The Dalles land use jurisdiction.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**JUSTIFICATION** *You may use additional paper as needed.*

Explain the justification for this proposed Comprehensive Plan Amendment.

Correct mapping error

Describe how the proposed amendment is compatible with or will further the goals established by the community for the subject area. *The goals are listed in the Comprehensive Plan.*

This will return map area to original location.

Describe the effect the proposed amendment would have on surrounding properties.

n/a

Describe how the proposed amendment will further the interests of public health, safety and general welfare.

n/a

X Nolan K Young  
Signature of Applicant

9/7/00  
Date

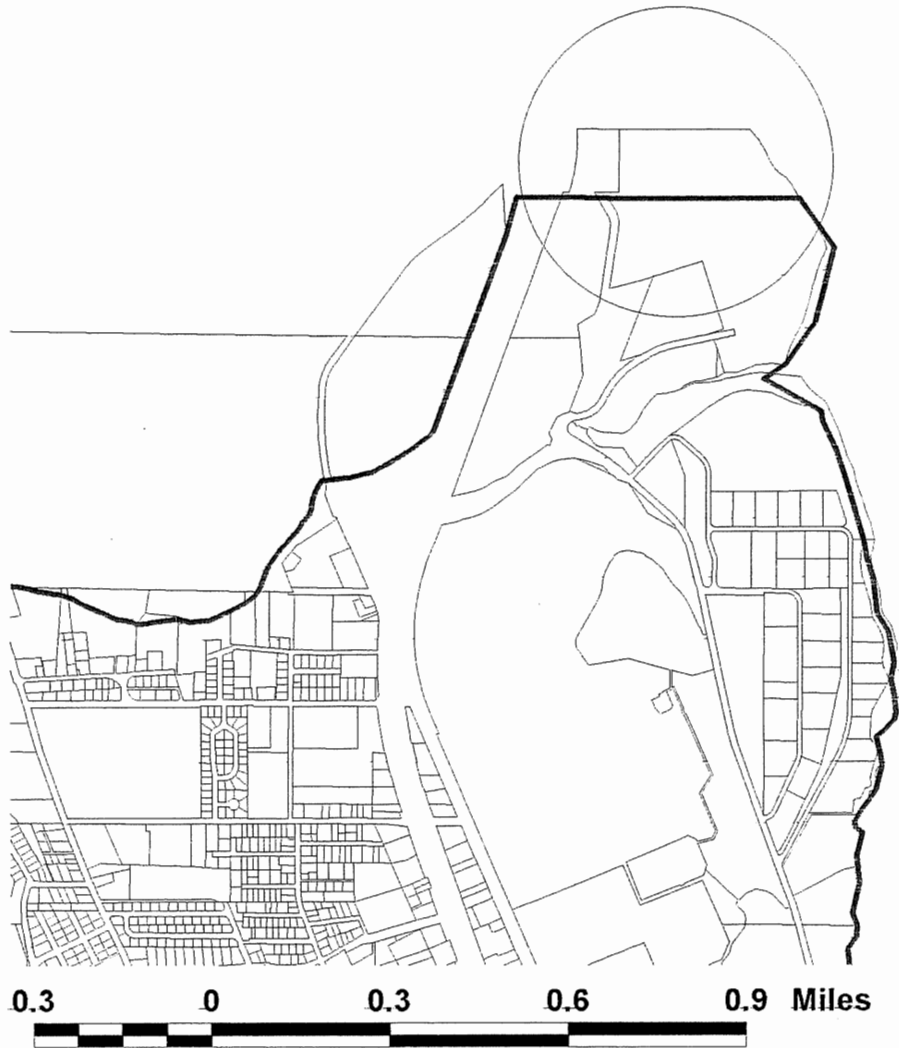
**NOTE:** This application must be accompanied by 15 copies of the proposed site plan.

complete     incomplete

\_\_\_\_\_  
Planner

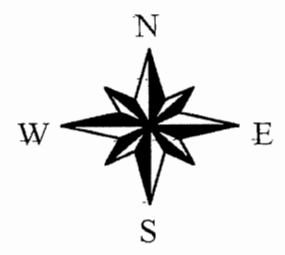
\_\_\_\_\_  
Date

# Urban Growth Boundary Adjustment



The area within the circle at the Northern end of our City "fell off" of both our Comprehensive Plan and Zoning Maps. This application is to correct this mapping error and place these properties back where they belong.

-  Urban Growth Boundary
-  Property Lines



# City of The Dalles

## STAFF REPORT

Comprehensive Plan Map Amendment  
CPA 26-00

**City of The Dalles**

Prepared by: Bob Paul, Senior Planner

Procedure Type: Legislative

Hearing Date: September 21, 2000

Assessor's Map: Township 2 North, Range 13 East, Map 21

Tax Lot:s: 600 and 700

Address: Non-addressed and undeveloped

Comprehensive Plan Designation: Formerly "I" Industrial

Zoning District: Formerly industrial

**SYNOPSIS:** These parcels were within The Dalles urban growth boundary. This urban growth boundary was co-located with the National Scenic Area Boundary. This made perfect sense as the National Boundary can only be moved by federal action. This boundary changes the rules of development. The Dalles naturally co-located the urban growth boundary to conform to the federal standards as much as possible.

The two parcels included in this application are undeveloped. I believe it was difficult to confirm exact map lines from paper to real property. It appears that these two parcels were mistakenly removed from the comprehensive plan map. The Port of The Dalles noted this error as their strategic development plans noted this boundary error.

Once the comprehensive plan map is adopted, this lengthy application procedure is required to modify the approved map. The City of The Dalles is the applicant for this modification to reduce or eliminate any inconvenience to the property owner.

**NOTIFICATION:** City ordinance 98-1222 states that legislative changes such as this proposal are required to have a notice published in The Dalles Chronicle at least ten days prior to the public hearing. This notification was published on September 11, 2000.

**COMMENTS RECEIVED:**

At the time of the writing of this staff report, no comments have been received.

**RECOMMENDATION:**

Approval.

**A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222:**

**Section 3.010.040, Applications:**

*Subsection B. Completeness.*

**FINDING A-1:** This application is complete.

*Subsection F. Applications for Legislative Actions.*

**FINDING A-2:** This application meets all required submittal criteria as stated within this ordinance.

**Section 3.020.060, Legislative Actions:**

*Subsection A. Decision Types, 3. Comprehensive Plan Map Amendments.*

**FINDING A-3:** This application is for a legislative action. This includes a comprehensive plan map amendment to adjust the urban growth boundary to its original location. This corrects a previously made map error.

*Subsection B. Public Hearings.*

1. *The Commission shall hold at least one legislative public hearing to review applications for legislative actions and, by duly adopted resolution, make a recommendation to the Council to approve, approve with conditions, or deny the request.*
2. *The Council shall hold a legislative hearing on applications for legislative actions within 30 days of the date of the Planning Commission or, where appropriate, the Historic Landmarks Commission resolution recommending approval, conditional approval, or denial of the request.*
3. *Legislative hearings shall be conducted per the procedures of Section 3.020.070: Public Hearings.*

4. *Unless otherwise ordered by the Commission or Council, the Director shall take completed applications for legislative actions in the order in which they are filed.*
5. *The burden of proof is placed on the applicant seeking a legislative action.*
6. *The applicant's attendance is required at the prescribed public hearing for the actin, unless otherwise authorized by the hearings body.*

**FINDING A-4:** This criteria will be satisfied through this process.

*Subsection C. Notice of Hearing. At least 10 days before the legislative hearings of the Historic Landmarks Commission, the Planning Commission, or the Council, notice of the hearing shall be published in a newspaper of general circulation. Such notice shall:*

1. *Explain the application and proposed amendment(s), change(s), or use(s) which could be authorized.*
2. *List the applicable Ordinance standards and/or criteria...*
3. *Set forth the geographical reference to the subject area.*
4. *State that in order to preserve any potential appeal rights to LUBA, persons must participate either orally or in writing in the legislative action proceeding in question.*
5. *Include the name and telephone number of the Director to contact for additional information.*

**FINDING A-5:** Notice of Public Hearing was published in The Dalles Chronicle on September 11, 2000. This notice provided the information elucidated above. Notice of public hearing requirements have been met.

*Subsection D. Decision on Legislative Actions. The Council's decision shall be an ordinance adopted by majority vote, signed by the Mayor, and based upon and accompanied by a brief statement that includes:...*

**FINDING A-6:** The decision has not been reached.

*Subsection E. Final Decision.*

**FINDING A-7:** The decision has not been reached.

*Subsection F. Notice of Decision.*

**FINDING A-8:** The decision has not been reached.

*Subsection G. Effective Date of Decision.*

**FINDING A-9:** The decision has not been reached.

*Subsection H. Appeal.*

**FINDING A-10:** The decision has not been reached.

## **B. Comprehensive Plan (June 1994):**

**Goal #2 Land Use Planning** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Comprehensive Plan amendments are evaluated according to the following criteria:

- *Compliance with the statewide land use goals and related administrative rules.*

**FINDING B-1:** This boundary correction was submitted to the Department of Land Conservation and Development (DLCDD) for their review and comment. No formal comments have been received. Additionally, this line adjustment is a correction of an error. This is in compliance with all state land use goals.

- *Conformance with the Comprehensive Plan goals, policies, implementation measures.*

**FINDING B-2:** The original boundary was set in conformance with the plan goals. Returning this boundary to the original location is in conformance with the plan goals, policies, and implementing measures.

- *The change will not adversely effect the health, safety, and welfare of the community.*

**FINDING B-3:** This map correction will not adversely effect the health, safety, and welfare of the community.

- *Adequate public facilities, services and transportation networks are in place, or are planned to be provided with the proposed change.*

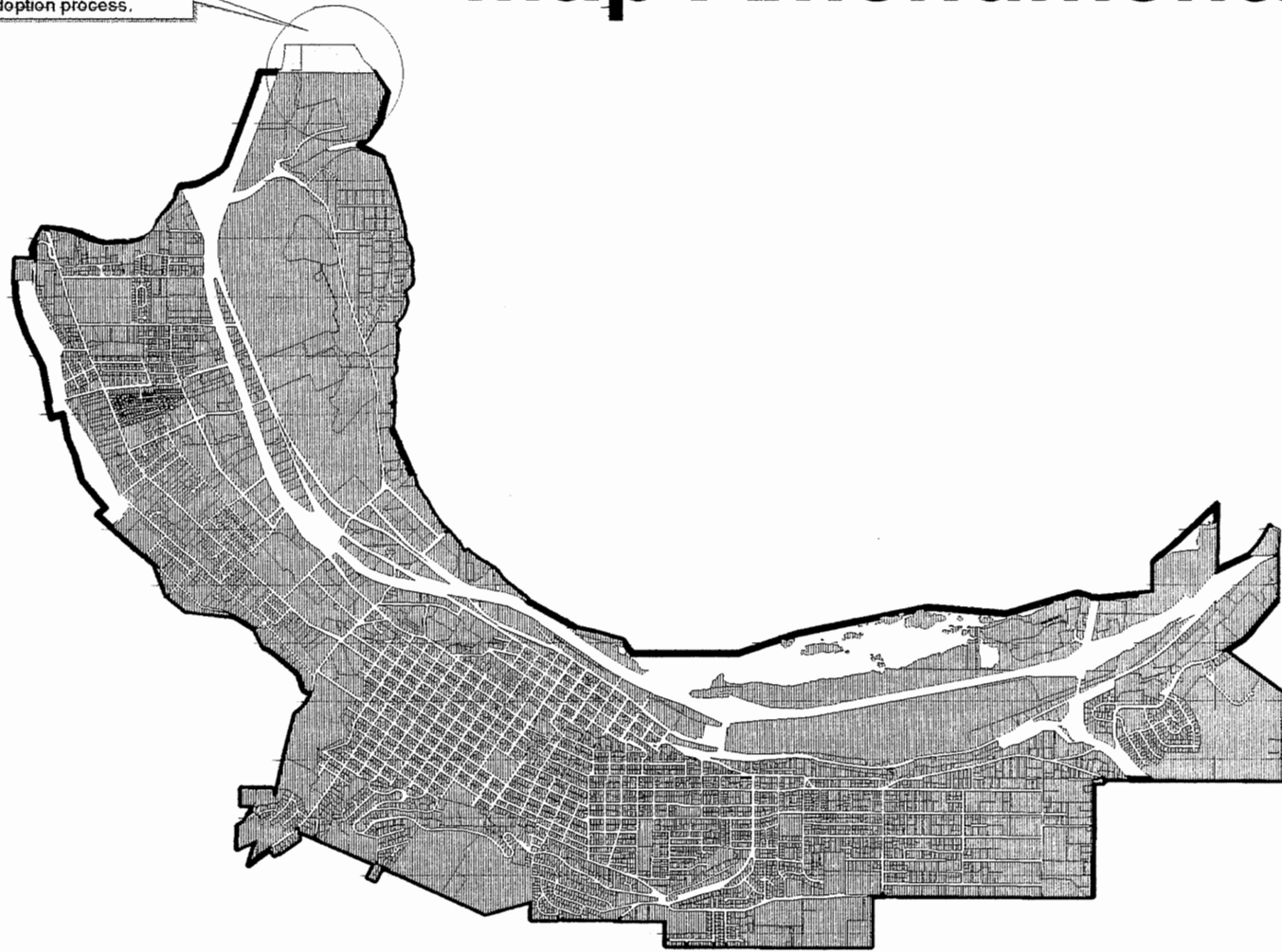
**FINDING B-4:** This proposal returns a map boundary. No real development is proposed or authorized with this application. Development review includes and addresses the concerns in this criteria and will be addressed through development review as appropriate.

### **C. Conclusion:**

The above findings demonstrated substantial compliance with both the Land Use and Development ordinance and the Comprehensive Plan. This proposal is consistent with both the City of The Dalles Comprehensive Plan and Land Use Development Ordinance.

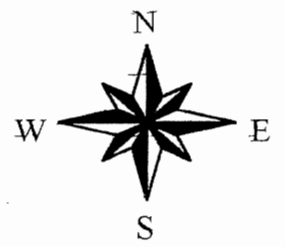
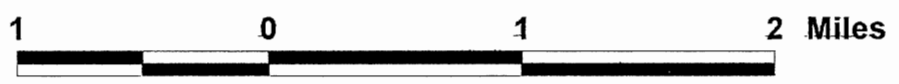
# Map Amendments

Two parcels that "fell out" of our adoption process.



This map reflects our current adopted map status. The UGB at the extreme north end is the area in question. Specifically, The Dalles "moved" this line by error. The error was perpetuated during Comprehensive Plan revisions in 1994.

- UGB Parcels
- Parcels that "fell out"
- Urban Growth Boundary

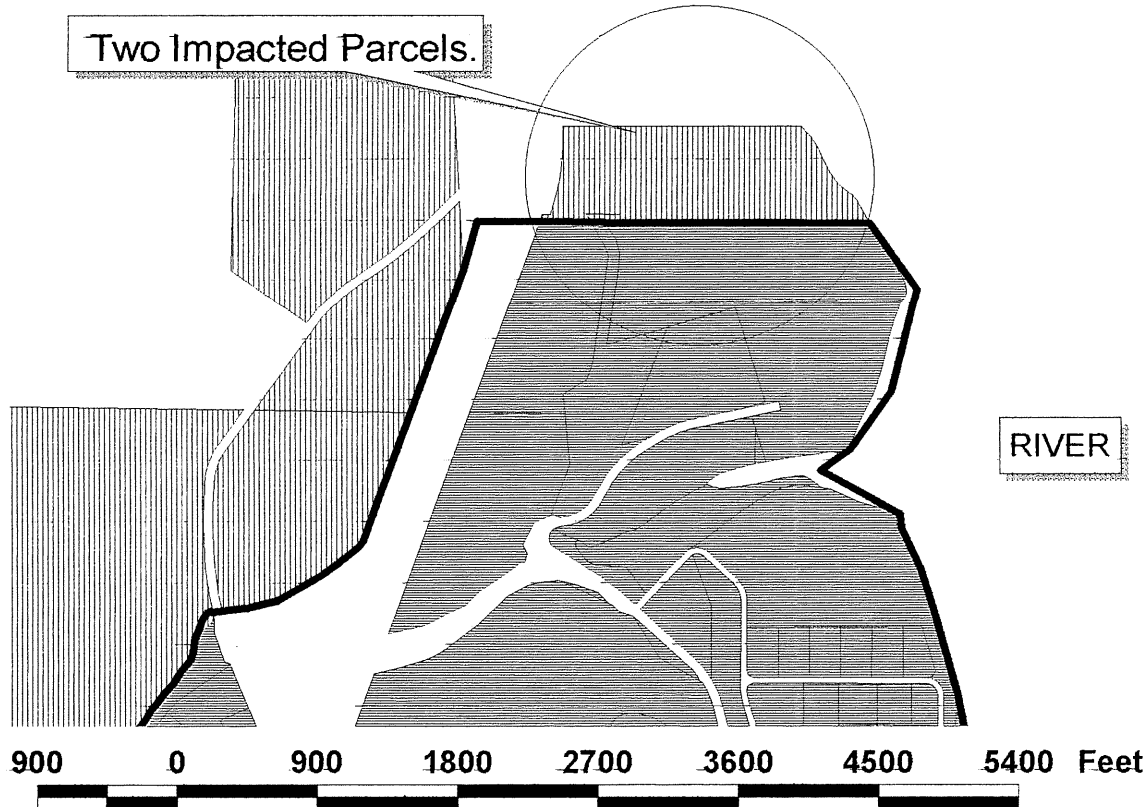


City of The Dalles parcel and boundary information based upon Wasco County data 6/2000.

# Pullout of Map Error

All this land is designated "I", Industrial. The parcels that "fell out", had this designation as well. This change will modify both our zoning map and comp plan map to "I".

This pullout is at the extreme north end of The Dalles Port property. The Western parcel belongs to the Aluminum plant and the Eastern parcel belongs to the Port. At some time prior to adoption of our 1994 Comp Plan, these parcels fell out.



This area is mostly undeveloped and it was very hard to distinguish boundaries from a map to the ground. This is mostly basalt and scrub. Our intent is to keep our UGB in line with the National Scenic Area Boundary. We have confirmed that their boundary allows these parcels to develop as urban exempt.

Port development has been occurring and they noticed this error during their strategic planning sessions. We want this land back on our map.

-  Urban Growth Boundary
-  UGB Parcels
-  Adjacent Parcels

