

MINUTES

PLANNING COMMISSION MEETING

November 18, 2021

5:30 p.m.

VIA ZOOM

PRESIDING: Cody Cornett, Chair

COMMISSIONERS PRESENT: Alan Easling, Philip Mascher, Mark Poppoff, one position vacant

COMMISSIONERS ABSENT: Karly Aparicio, Linda Miller

STAFF PRESENT: Director Alice Cannon, Secretary Paula Webb

CALL TO ORDER

The meeting was called to order by Chair Cornett at 5:32 p.m.

PLEDGE OF ALLEGIANCE

Chair Cornett led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Easling and seconded by Cornett to approve the agenda as submitted. The motion carried 4/0; Cornett, Easling, Mascher and Poppoff voting in favor, none opposed, Aparicio and Miller absent, one position vacant.

APPROVAL OF MINUTES

It was moved by Easling and seconded by Mascher to approve the minutes of October 21, 2021 as submitted. The motion carried 4/0; Cornett, Easling, Mascher and Poppoff voting in favor, none opposed, Aparicio and Miller absent, one position vacant.

PUBLIC COMMENT

None.

STAFF COMMENTS / PROJECT UPDATES

Director Cannon stated due to recent events at a City Council meeting Zoom protocols have tightened.

Director Cannon stated Staff continues progress on long-range planning projects:

- Approval of Shelter Housing Code
- Total Maximum Daily Load Plan for creeks in the City will be followed up by code amendments
- Employment Buildable Land Analysis, review and update for final adoption
- Housing Inventory, completed 2019, review and update for final adoption
- Moving forward with code amendments identified by Planning Commission and Staff
- Director Cannon, with City Manager Pro Tem Daniel Hunter, is leading a Community Vision Project. The survey will remain open through December 9, 2021.

Senior Planner Dawn Hert noted the City currently allows for tiny homes or small homes as long as they are site built and meet Wasco County Building Codes requirements. The City's cottage cluster ordinance was approved.

COMMISSIONER COMMENTS / QUESTIONS

Commissioner Mascher stated he receives frequent inquiries regarding tiny homes and container homes, and believes they are a building block to address the housing crisis. Mascher would like to prioritize this issue.

Commissioner Mascher asked if his survey responses could be augmented in some way. Director Cannon replied additional comments and supporting documents could be mailed to her or the Department Secretary.

Commissioner Mascher referred to a recent Government Affairs meeting. Discussion included completion of the Scenic Bike Route, scheduled within less than a year, which will connect Troutdale to The Dalles. Mascher noted participants were encouraged to think of ways to make the west end of town more appealing. He felt the idea had a lot of value. Senior Planner Hert thought the Beautification Committee was exploring options.

QUASI-JUDICIAL PUBLIC HEARING

MIP 400-21: Luminous Enterprises, Inc., 2235 W. Tenth Street, 1N 13E 32 DA tax lot 2400

REQUEST: The applicant is requesting Administrative review of a partition of one 0.60 acre property into three parcels of varying size.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, bias or conflict of interest which would prevent an impartial decision. Hearing none, the public hearing opened at 5:58 p.m.

Associate Planner Chandler presented the staff report.

In response to Commissioner inquiries, Staff replied:

- Improvements are required with a subdivision. Street improvements apply to one half of the street, from center line to property line. Future improvements to surrounding parcels

will be required with development. The street will be open to vehicular traffic; on street parking will be prohibited.

- Director Cannon stated most cities in Oregon require improvements with development; The Dalles is an anomaly. In other cities, individuals would be buying a shovel ready property with improvements. This anomaly exists in The Dalles due to passage of a House Bill prohibiting the City from requiring LIDs [Local Improvement Districts] and reimbursement districts.

Associate Planner Chandler stated this referral to Planning Commission is the City's opportunity to request the Commission's insight on whether or not this application should be reviewed as a subdivision. Chandler noted since passage of this House Bill, over 60 minor partitions were approved compared to seven subdivision approvals.

There was no testimony from proponents or opponents.

Yesenia Morales, 2229 W. Ninth Street, The Dalles

Ms. Morales requested the applicant's name. Associate Planner Chandler replied, "Luminous Enterprises, Inc."

In response to further questions, Associate Planner Chandler replied:

- Drawings in Appendix 1 of the Staff Report are a representation only. The plan would not be approved as presented.
- The term "serial partition" is not an official term. There is no definition for the amount of time that would create a serial partition. Once a plat is created, continuous modifications would be made.
- Director Cannon noted the term "subsequent years" is not defined in the section used to refer the application to the Planning Commission. If the Community Development Director "has determined that continuous partitioning of this parcel may occur in subsequent years" we may refer it to the Commission.
- Director Cannon stated if the Commission decides to review this application as a minor partition and a portion of the parcel is later sold, that portion would also be reviewed as a minor partition.
- Associate Planner Chandler clarified sidewalk installation is delayed by building permit review. The developer is responsible for curbs. Once a curb line is established, the future houses are responsible for sidewalks. City Engineer McCabe noted corner lots require an ADA ramp.

Chair Cornett closed the public hearing at 6:45 p.m.

Commissioner Poppoff was in favor of review as a minor partition.

Commissioners Easling and Mascher were in favor of review as a subdivision. Mascher stated a centralized approach to the responsibilities made sense. He noted the importance of infrastructure such as sidewalks, bike paths and a coherent utility infrastructure is the right statement to make as a community.

Chair Cornett stated based on the application and evidence in the staff report, it is clear the intent is to continue to divide the parcel. This is the basis of his decision.

It was moved by Mascher and seconded by Easling to require the proposed land division at 2235 W. Tenth Street be reviewed as a Subdivision application and direct staff to deny Minor Partition 400-21. The motion carried 3/0; Cornett, Easling, and Mascher voting in favor, Poppoff opposed, Aparicio and Miller absent, one position vacant.

LEGISLATIVE PUBLIC HEARING

ZOA 106-21: Shelter Housing Code Amendments, City of The Dalles

REQUEST: Consideration of proposed changes to The Dalles Municipal Code, Title 10 Land Use and Development. The amendment purpose is to expand the permitted uses in the Commercial General and Commercial Light Industrial zones to allow Shelter Housing, also defined as Established and Seasonal Shelters, as permitted uses subject to proposed standards.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, bias or conflict of interest which would prevent an impartial decision. Hearing none, the public hearing opened at 6:56 p.m.

Senior Planner Hert presented the staff report.

There was no testimony from proponents or opponents.

Chair Cornett closed the public hearing at 7:10 p.m.

Commissioner Poppoff's comments included:

- Deletion of the General Commercial zone and inclusion of the Industrial zone,
- Include bathing and laundry facilities,
- In Shelter Housing [Exhibit A, 10.5.060.020 A. 29. a. ii.] change "comply with state building standards" to "comply with state building standards for permanent structures over 200 square feet,"
- In Landscaping [Exhibit A, 10.5.060.020 A. 29. b. iv.] change "may" to "shall" include internal shade trees,
- Page 53 [of the Agenda Packet] language is redundant, and
- In Surfacing [Exhibit A, 10.5.060.020 A. 29. b. i.] include compacted gravel.

Director Cannon noted the public hearing was closed. In order for Staff to respond to the comments, the public hearing must be reopened. Commission deliberation is necessary to ensure agreement with the changes.

Commissioner Easling stated shelter housing could potentially affect neighboring properties and businesses. He suggested review under a Conditional Use Permit (CUP) to provide additional scrutiny. Easling is in favor of the school buffer zone.

Commissioner Mascher stated this had been deliberated extensively, and was in favor of the Staff recommendation.

Commissioner Poppoff stated the CUP was probably a good idea.

Chair Cornett reopened the public hearing at 7:25 p.m.

Senior Planner Hert noted a House Bill currently in effect allows shelter housing in Commercial Light Industrial, General Commercial, and Residential zones. This housing is permitted outright as long as the housing is established prior to the expiration of the House Bill. The City must adhere to State regulation.

Director Cannon believed the Council goal was to create a permitted use opportunity in the City.

Commissioner Mascher said he was aware of four different projects in the continuum of homeless shelter to affordable housing with treatment services for stressed community members. All are stuck in some kind of limbo. Creating a system where each will be reviewed and subject to “not in my backyard” scrutiny is opening the gates to a cumbersome system more or less unable to address a crisis that we’re facing. Courageous and bold moves are needed to make an impact on this crisis.

Chair Cornett noted Exhibit A, 10.5.060.020 A. 29. a. i. did not include bathing facilities.

Director Cannon replied that was the intent; that language could be included.

Director Cannon addressed the gravel versus asphalt comment. She stated permanent shelters should have the same requirements as private developers – asphalt, concrete or similar durable material.

Senior Planner Hert clarified the repetitive language in Exhibit A. The same language is used for both zoning sections.

Chair Cornett closed the public hearing at 7:34 p.m.

Chair Cornett agreed with the addition of bathing facilities and shade trees. He did not think there should be changes to state building codes standards. Cornett stated a CUP requirement in the General Commercial zone could be advantageous.

Commissioner Easling agreed with Chair Cornett’s comments.

Chair Cornett moved to approve Zoning Ordinance Amendment 106-21 with changes: “General Commercial be moved to conditional use as opposed to permitted outright, bathing facilities to be a requirement specific to shelter housing, established and seasonal shelters shall include bathing facilities, and landscaping shall include internal shade trees.”

Senior Planner Hert read back the motion: Change Title 10, Chapter 10.5.060 General Commercial, to allow both temporary and permanent shelter housing to be a conditional use, 29. a., “Provide sleeping and restroom facilities for clients,” “bathing facilities” to be added, and for 29. b. iv., change “landscaping may” to “landscaping shall” include internal shade trees. For the Commercial/Light Industrial zone, two modifications: 28. a. vi., “Provide sleeping, restroom and “bathing facilities,” and landscaping, 28. C. iv., “landscaping plan “shall” include internal shade trees.


Commissioner Poppoff seconded the motion. The motion carried 4/0; Cornett, Easling, Mascher and Poppoff voting in favor, none opposed, Aparicio and Miller absent, one position vacant.

ADJOURNMENT


Chair Cornett adjourned the meeting at 7:40 p.m.

Submitted by/
Paula Webb, Secretary
Community Development Department

SIGNED:


Cody Cornett, Chair

ATTEST:


Paula Webb, Secretary
Community Development Department
