

**MINUTES**

**PLANNING COMMISSION MEETING**

May 19, 2022

5:30 p.m.

City Hall Council Chambers  
313 Court Street, The Dalles, Oregon 97058  
Via Zoom / Livestream via City Website

**PRESIDING:** Cody Cornett, Chair

**COMMISSIONERS PRESENT:** Karly Aparicio, Maria Pena (arrived at 5:55 p.m.), Mark Poppoff, Nik Portela, two positions vacant

**COMMISSIONERS ABSENT:**

**STAFF PRESENT:** Director Alice Cannon, Secretary Paula Webb

**CALL TO ORDER**

The meeting was called to order by Chair Cornett at 5:30 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Cornett led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Commission consensus agreed to move Staff Comments/Project Updates and Commissioner Comments/Questions to the end of the agenda.

It was moved by Aparacio and seconded by Portela to approve the agenda as amended. The motion carried 4/0; Aparicio, Cornett, Poppoff and Portela voting in favor, none opposed, Pena absent, two positions vacant.

**APPROVAL OF MINUTES**

It was moved by Portela and seconded by Cornett to approve the minutes of February 17, 2022 and March 17, 2022 as submitted. The motion carried 4/0; Aparicio, Cornett, Poppoff and Portela voting in favor, none opposed, Pena absent, two positions vacant.

**PUBLIC COMMENT**

None.

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**LEGISLATIVE PUBLIC HEARING**

ZOA 105-22, City of The Dalles

Request: Approval of amendments to The Dalles Municipal Code Chapter 10.5.130 to bring the City's Stream Corridor Overlay Zoning regulations into compliance with State-required standards.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias, which would prevent an impartial decision. Hearing none, Chair Cornett opened the public hearing at 5:40 p.m.

Director Cannon presented the staff report, Exhibit 1.

Commissioner Portela noted the staff report included a fourth proposed update not reflected in the presentation.

Director Cannon stated Proposed Update #4 provides definitions for incorporation into the Code. Definitions include:

- Designated Management Agency (DMA)
- Management Strategies
- Performance Monitoring
- Pollutant
- Total Maximum Daily Load (TMDL)
- Water Quality Management Plan (WQMP)

Additional definitions derived from the Department of Land Conservation and Development include:

- Fish Habitat
- Riparian Area
- Riparian Corridor
- Riparian Corridor Boundary
- Stream
- Structure
- Top of Bank
- Water Area

Director Cannon stated these definitions, if adopted, would bring the City into compliance with state law.

Chair Cornett closed the public hearing at 5:51 p.m.

Commissioner Poppoff lost the Zoom connection at 5:52 p.m.

It was moved by Cornett and seconded by Aparicio to recommend to City Council the approval of Zoning Ordinance Amendment 105-22, adopting Code amendments attached herein and adopting findings included in this staff report at the May 19, 2022 hearing.

Commissioner Poppoff regained the Zoom connection at 5:55 p.m. Commissioner Pena joined the meeting at 5:55 p.m.

The motion carried 5/0; Aparicio, Cornett, Pena, Poppoff and Portela voting in favor, none opposed, two positions vacant.

CPA 53-22, City of The Dalles

Request: Approval of Comprehensive Plan Goal 9 Revisions: Amendments and adoption of the Employment Opportunities Analysis (EOA) and Employment Buildable Lands Inventory (BLI) documents to *The Dalles Comprehensive Plan, Volume II: Background Documents*.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias, which would prevent an impartial decision. Hearing none, Chair Cornett opened the public hearing at 6:00 p.m.

Director Cannon introduced Matt Hastie, Consultant, MIG/APG. Cannon stated after discussion in 2021 with City Council and the Planning Commission, it was decided this amendment should be adopted.

Matt Hastie provided the presentation, Exhibit 2.

Director Cannon said the updated data will be very valuable, but noted some economic dynamics have changed since the pandemic.

Chair Cornett closed the public hearing at 6:15 p.m.

It was moved by Aparicio and seconded by Portela to recommend to City Council the approval of Comprehensive Plan Amendment 53-22, adopting text amendments to Goal 9 and approving the EOA and BLI as ancillary documents attached herein and adopting findings included in the staff report at the April 21, 2022 hearing. The motion carried 5/0; Aparicio, Cornett, Pena, Poppoff and Portela voting in favor, none opposed, two positions vacant.

Director Cannon stated Mr. Hastie would again work with the City on adoption of the Housing Needs Analysis. The Analysis, completed in 2017, must be adopted by 2025. Mr. Hastie will update the data prior to adoption.

**STAFF COMMENTS / PROJECT UPDATES**

Director Cannon provided the following updates:

- Strategic Plan – The town hall meeting in April had great attendance. The follow-up survey garnered approximately 600 responses. The draft, discussion and adoption should be completed by the end of June.
- City Manager Matthew Klebes is very interested in the Planning Commission and may provide direction on planning initiatives.
- The Urban Renewal Agency approved a package of new development incentives which will generate interest in downtown development. Cannon added the building at 205 Washington Street will be renovated with living spaces and ground floor retail spaces. A cider shop is planned for the basement level at the rear of the structure.
- Two storefronts east of the Recreation Building were completed. An ice cream/candy shop and the Apothecary gift shop will occupy the spaces.

- Cannon has received interest in development of a multi-family, mixed-use development at the former Griffith Motors site [500 block, E. Third Street]. There is also potential interest in a natural food grocery store, bakery, and assorted businesses related to health.
- Senior Planner Dawn Marie Hert has left her position with the City. Assistant Planner Kaitlyn Cook will assume responsibility for the Historic Landmarks Commission.
- Two public hearings are scheduled for the June 16 meeting: an application for an RV Park on W. Tenth Street, and a Conditional Use application for U-Haul [2640 W. Sixth Street].
- Staff is working on revisions to the density code. Cannon hopes to return in June for a Discussion Item.
- Due to a heavy workload, it may be necessary to hold two meetings in July.
- Commissioner Easling has resigned from the Planning Commission. Commissioner Mascher's term expired; his re-appointment to the Commission is expected at the May 23, 2022 City Council meeting.

Director Cannon asked if the Commission had interest in a small social gathering following a meeting. Commission consensus was in favor of the gathering.

**COMMISSIONER COMMENTS / QUESTIONS**

None.

**ADJOURNMENT**


Chair Cornett adjourned the meeting at 6:31 p.m.

Submitted by/  
Paula Webb, Secretary  
Community Development Department

SIGNED:

  
Cody Cornett, Chair

ATTEST:

  
Paula Webb, Secretary  
Community Development Department



# Stream Corridor LUDO Amendments

ZOA 105-22

THURSDAY, MAY 17, 2022 | 5:30 PM

## Stream Corridor Text Amendments - History

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- September 16, 2021 - Planning Commission recommended to City Council for adoption of *Total Maximum Daily Load Implementation Plan*.
- November 22, 2021, City Council approved the Plan.

Adopted Implementation Plan includes existing management strategies :

- Education about riparian protection
- Evaluation of roads located along perennial streams
- Restoration of river shading and/or channel conditions
- Consideration of amendments to better protect riparian corridors in the City.

## Total Maximum Daily Limits (TMDL)

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- **Municipal Code implements and regulates, references a Stream Corridor (SC) Overlay for Chenoweth Creek, Mill Creek and Threemile Creek:**
  - SC Overlay zone complies with the safe harbor provisions of OAR
  - SC Overlay applies to UGB and includes the corridor extending upland 50 feet from the tops-of-bank.
  - All new development needs to be located outside of the SC Overlay.
  - 50-foot setback required for new development. Two ways it can be reduced:
    - “Stream Corridor Setback Modification”
    - “Hardship Adjustment”.
  - **The CDD is proposing to modify these two exceptions in the Municipal Code by reducing the potential setbacks allowed to bring them into compliance with State Law.**

## The Dalles Municipal Code Article 10.5 – Stream Corridor Overlay Boundaries

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### *10.5.130.030 Determination and Modification of SC Overlay District Boundaries*

*The stream corridor setbacks shall be 50 feet from the top-of-bank as shown on The Dalles Stream Corridor Inventory. An applicant for development may rely on this map to determine how a stream corridor setback affects an individual property. However, this mapped setback may be modified in two ways:*

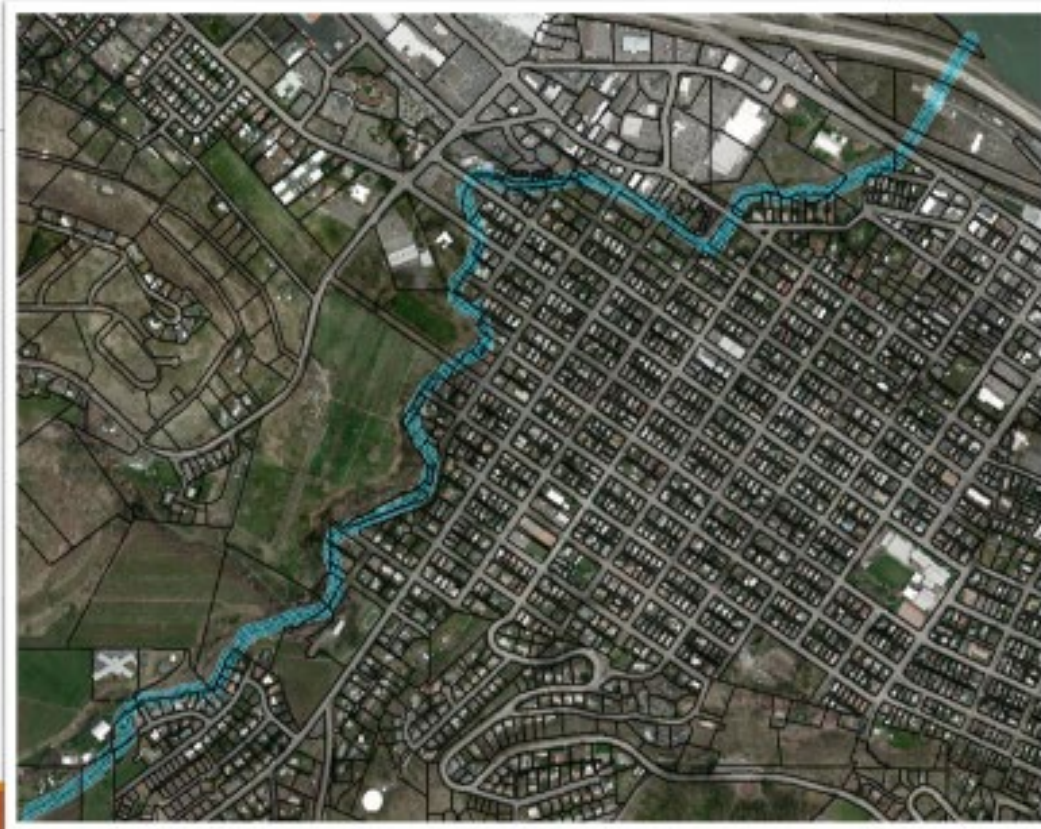
- A. **Stream Corridor Delineation Process.** The Planning Director may approve a modification stream top-of-bank (“bankfull stage” or the “two year recurrence flood elevation” defined in DSL Administrative Rules (OAR 141-085-0510(5)), based on site survey prepared by a registered land surveyor. The required setback shall be revised accordingly.*



## Chenoweth Creek – Stream Corridor Overlay



## Mill Creek – Stream Corridor Overlay



## Three Mile Creek – Stream Corridor Overlay



## TMDL Text Amendment – Proposed Update #1

Remove Section 10.5.130.030(B) which currently allows for the 50-foot stream setback to be reduced by 50% when a riparian restoration plan is submitted. Removing this setback modification provision will bring our code in compliance with State of Oregon safe harbor rules and regulations. Removal of this reduction will be proposed for City Council consideration:

- ~~B. Stream Corridor Setback Modification. The Planning Director may reduce the stream corridor setback in "developed" areas shown on The Dalles Stream Corridor Inventory to 25 feet when all of the following criteria are satisfied:~~
- ~~1. The applicant agrees to restore riparian vegetation within the remaining 25 foot setback area by implementing a riparian restoration plan approved by the Planning Director.~~
  - ~~2. The riparian restoration plan shall be prepared by a wetland scientist, government agent, or other professional with expertise in riparian plants and restoration techniques acceptable to the Planning Director.~~
  - ~~3. The plan shall ensure removal of invasive plant species and replacement with suitable native plant species that will effectively shade the stream and minimize stream bank erosion.~~
  - ~~4. The plan shall include provisions for monitoring and replacement of native plants over at least a three year period.~~
  - ~~5. The Planning Director may require a riparian conservation easement for the remaining protected stream corridor.~~

## TMDL Text Amendment- Proposed Update #2

Amend Section 10.5.130.030(C) that allows for a Hardship Adjustment of 67% to the 50-foot stream setback (allowed 33.5 feet). Proposal of reducing the Hardship Adjustment of 40% to the 50-foot setback (allowed 20 feet):

- A. *Hardship Adjustment. The Planning Commission may approve a hardship adjustment to the stream setback provisions of this chapter, without going through a formal variance process, under the following circumstances:*
  - 1. *Where application of the stream setback provisions of this chapter makes it impossible to build a structure (including a building, required parking and access) otherwise permitted in the underlying zoning district, the Planning Commission may allow reductions of the setback standards of the underlying zoning district by up to ~~67%~~ 40% (to permit the siting of such structures to avoid infringing on the stream setback area.*

## TMDL Text Amendment - Proposed Update #3

Amend Section 10.5.130.030(C)(2), which allows 3,000 square feet of impervious surface area within the 50-foot stream setback if it is still considered impossible to build after considering the effect of a Hardship Adjustment. A maximum of 500 square feet of impervious surface area within the 50-foot setback:

2. *If, after considering the effect of hardship setback adjustments, it is still impossible to build a structure permitted in the underlying zoning district, the Planning Commission may approve up to ~~3,000~~ 500 square feet of impervious surface area within the required stream setback area, provided that:*
  - a. *The structure, parking and access area is located as far from the top of bank as reasonably possible; and*
  - b. *The applicant submits a stream corridor restoration plan prepared to the specifications set forth in Section 10.5.130.030(B).*

## TMDL Text Amendment – Next Steps

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- **March**
  - Submittal of formal land use application for the Zoning Ordinance Amendments.
  - Notice sent to the Department of Land Conservation and Development (DLCD)
  - City Council Discussion Item (March 28<sup>th</sup>)
  - Notice sent to Wasco County Planning.
- **May**
  - Notifications of the Legislative Public Hearings before the Planning Commission and City Council will be published in the local newspaper.
  - May 17<sup>th</sup> - Planning Commission Public Hearing
- **June**
  - June 27<sup>th</sup> - City Council Public Hearing

# Economic Opportunities Analysis & Buildable Lands Inventory





## Regulatory Basis

### **Economic Opportunities Analysis**

- Projected industrial/employment uses.
- Sites needed to accommodate projected employment growth.
- 20-year supply of buildable land.

### **Comprehensive Plan Policies**

- Economic development policies based on the EOA.
- Policies to designate adequate employment sites.
- Policies to provide necessary public facilities and transportation facilities.

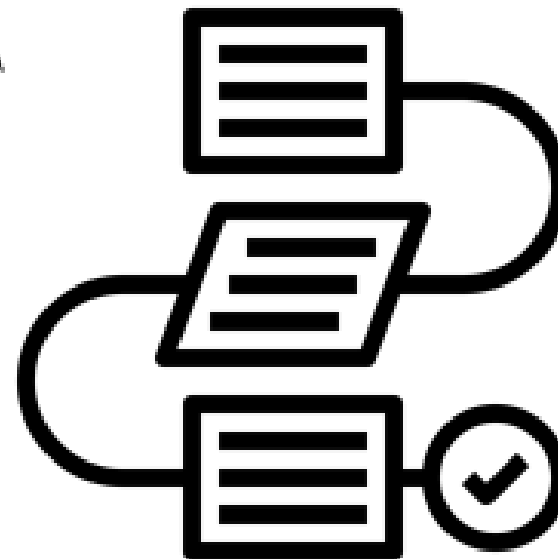
### **Implementation Policies and Measures**

- Measures to implement adopted policies.
- Plan and zoning map and text amendments, as needed.



## Background

- **September 2019**, Bridge Economic Development completed Phase 1 of the EOA - employment projections and land needs.
- **October 2020**, Angelo Planning Group (APG) completed the methodology and updated results of the 2020 Employment Buildable Lands Inventory (BLI).
- **November 19, 2020**, the Planning Commission recommended that the City Council adopt the EOA/BLI.
- **February 8, 2021**, City Council discussion on options and staff's ability to complete the amendments.
- **April 12, 2021**, City Council unanimously agreed with the Planning Commission's recommendation.

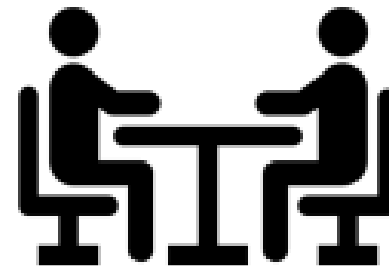


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## Community & Stakeholder Engagement

- Advisory committee processes
- Stakeholder coordination
- Planning Commission and City Council work sessions
- Iterative analysis, review and refinement process



## Comprehensive Plan Amendments

– *The Dalles Comprehensive Plan, Volume II Background Documents* to be updated/added:

- » Economic Opportunities Analysis (Bridge Economic Development, 2019)
- » Economic Development Action Plan (Bridge Economics Development, 2019)
- » Buildable Land Inventory Memorandum (Angelo Planning Group, 2020)



## Comprehensive Plan Amendments

- **Goal #9 Economic Development** goal to be updated reflecting details included in EOA/BLI:
  - » *Purpose Statement* to be removed
  - » *Background Narrative* updated
  - » *Economic Overview* updated
  - » *Economic Forecast* updated
  - » *Economic Opportunities (2018) and Action Plan (2019-2024)* updated
  - » *Findings and Conclusions* updated
  - » *Economic Development Goals*, one item added
  - » *Goal #9 Policies* updated
  - » *Goal #9 Implementation Measures* added



## Goal 9 Policy Statements

### Goal 9 Policies

1. ~~Encourage the siting and growth of employers which pay family wages as identified in The Dalles Economic Opportunities Analysis (EOA).~~ Promote and support diversification of The Dalles' economic base focusing on growth of family wage jobs.
2. To the extent possible, designate within the existing UGB suitable land with site size and locational characteristics required by targeted employment ~~as set forth in the 2010 Economic Opportunities Analysis (EOA).~~
3. ~~Identify industrial sites that are immediately available and serviceable for industrial development consistent with the Goal 9 rule. Request Oregon Economic and Community Development Department (OECDD) certification for "shovel ready" industrial sites pursuant to Executive Order 03-02.~~



## Goal 9 Policy Statements

### Goal 9 Policies

- ~~6.~~ ~~Protect large Northwest Aluminum redevelopment sites for their intended industrial uses as identified in the EOA as set forth in Table 9-4~~
- ~~7~~5. Commercial and service uses in the City's industrial zones should be limited to small-scale retail and service uses that cater primarily to local area employees and customers and support surrounding businesses
- ~~8~~6. Plan for and make adequate public investments to meet the existing and future demands of industrial, commercial, and residential growth in The Dalles



## Goal 9 Policy Statements

### Goal 9 Policies (cont.)

9. Support growth of businesses that create destinations and experiences for residents of The Dalles and visitors.

~~11~~10. Encourage the continued development of the Mid-Columbia Medical Center and other health services as an important resource to the economic base of The Dalles, and as an important element in extending the perimeter of The Dalles' trade area

11. Support and encourage the Columbia Gorge Community College in providing workforce development and training to meet the needs of new and existing businesses in The Dalles.



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## Goal 9 Policy Statements

### Goal 9 Policies (cont.)

20. Plan for **and implement** appealing streetscapes that encourage personal interaction, accommodate public gatherings, and enhance the experience of shoppers and workers.
  
23. Pursue development of higher employment densities in areas with planned or existing facilities, utilities, and transportation infrastructure
  
24. Establish streamlined permitting processes that allow for business expansions and modifications without undergoing the same level of review as new development



## Goal 9 Policy Statements

### Goal 9 Policies (cont.)

- 25. Ensure The Dalles has the services and amenities necessary to attract workers and provide the services they need, such as medical services, child care services, educational training opportunities, public transportation, retail and restaurants, and other necessary amenities.
  
- 26. Support and encourage infill and redevelopment, especially in existing commercial areas, as a way to use land and infrastructure more efficiently.
  
- 27. Facilitate and support business incubators and other methods to assist start-up businesses.

