

**WASCO COUNTY PLANNING COMMISSION**

**March 5, 2013**

**Hearing begins at 3:00 p.m.  
Columbia Gorge Discovery Center  
Lower Level Classroom  
5000 Discovery Drive  
The Dalles, OR 97058**

---

**CALL TO ORDER**

**I. ROLL CALL**

**WASCO COUNTY PLANNING COMMISSIONERS PRESENT**

Don Hoffman  
Vicki Ashley  
Chip Wood  
Jill Amery  
Russell Hargrave  
Andrew Myer, Alternate #1

**WASCO COUNTY PLANNING COMMISSIONERS ABSENT**

Mike Omeg  
Kenneth McBain  
Taner Elliot, Alternate #2

**WASCO COUNTY PLANNING OFFICE STAFF PRESENT**

John Roberts, Planning Director  
Brenda Jenkins, Planning Coordinator  
Joey Shearer, Senior Planner

**II. PUBLIC COMMENT: Maximum 15 minutes, *limited to items not being heard or discussed elsewhere on the agenda.***

**None**

**III. APPROVAL OF PAST MINUTES:**

February 5, 2013,

**Vice Chair Ashley** moved to approve the minutes as submitted.

**Commissioner Wood** seconded

**Chair Hoffman** called for discussion

**None.**

**Chair Hoffman** called for the vote

**The motion was unanimously approved 5 to 0, 1 abstained (Commissioner Hargrave)** A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes  
Vice-Chair Ashley – yes  
Commissioner Hargrave – abstained  
Commissioner Wood - yes  
Commissioner Omeg – absent

Commissioner McBain – absent  
Commissioner Amery – yes  
Commissioner Myers – yes  
Commission Elliot - absent

#### **IV. QUASIJUDICIAL HEARING – COLUMBIA LAND TRUST**

File # PLAQJR-13-01-0001 Request by Columbia Land Trust for an Open Space Tax Assessment to be applied to a 123 acre property located in the A-1 (160), R-5 and R-1 Zones of the General Management Area, National Scenic Area.

**Chair Hoffman** opened the hearing as follows: We will now commence the public hearing on agenda item: PLAQJR-13-01-0001 and PLAQJR-13-01-0002. A review by the Planning Commission for a Special Assessment of Open Space Land. The criteria for approval of this request are contained in Oregon Revised Statute (ORS) 308A – Land Special Assessments.

**Disclosure of Interest of Ex Parte Contact or Potential Conflicts:**  
**None.**

#### **Party Recognition**

Anyone can speak for or against the proposal today. However, only those who have “party” status will be able to appeal a decision reached by this Commission. If you wish to establish party status, please state so at the beginning of your testimony. At the end of the public testimony, the Planning Commission will deliberate about granting party status to each person who requested it.

**Chair Hoffman** called for the staff report.

**Senior Planner Joe Shearer** presented the staff report (see attachment A), he also submitted Assessor information into the record. (see file for information)

**Vice Chair Ashley** asked if the possible urban growth expansion is approved, wouldn't a portion of the property be more favorable towards development. Would the owner be allowed to take it back out of open space? She stated that her understanding is that once it is in open space it is harder to take out and put into another use. **Commissioner Amery** stated that the lot is actually very steep and would be difficult to develop. **Commissioner Wood** reminded everyone that if the request is denied, the applicant can just go tax exempt.

**Chair Hoffman** called for the Applicant's testimony

#### **Virginia Bowers, Columbia Land Trust**

**Ms. Bowers** gave the commission a brief background on the property.

**Chair Hoffman** asked how the Columbia Land trust was funded. **Ms. Bowers** stated that their funding came from donations, grants, and fundraising. She further stated that the subject property was purchased through a grant process. **Chair Hoffman** asked how many acres were in the Columbia Land Trust ownership. **Ms. Bowers** replied there were over 9,000 acres currently in the Columbia Land Trust ownership.

**Commissioner Amery** asked if the public is encouraged to hike and enjoy the land.

**Ms. Bowers** replied that it is on a case-by-case basis. They are currently evaluating the property and have a future plan to create a trail. **Commissioner Amery** asked if Columbia Land Trust would provide improvement for parking if opened for hiking. **Ms. Bowers** replied that hopefully that will happen but there is no current plan and she couldn't say when it might happen.

**Chair Hoffman** called for other testimony in support

**Gwen Schatz, Property Owner Ms. Schatz** stated that she owns land at 4660 Seven Mile Hill Road. She further stated that she is happy to see the property is owned by a conservation group, and she is in support of the proposal.

**Chair Hoffman** called for the additional testimony in support.  
**None.**

**Chair Hoffman** called for the testimony in opposition.  
**None.**

**Chair Hoffman** closed the hearing for deliberation.

**Commissioner Hargrave** stated that he is in support of the request. He believes from a land use point of view having open space protected is great.

**Vice Chair Ashley** stated that she would like to hear that the area would be open to public use.

**Chair Hoffman** stated that conservation and public use are not always compatible.

**Commissioner Hargrave** stated that the decision for opening it to public use should be left to the stewards of the land.

**Commissioner Amery** stated that she agrees it's a great idea but also feels that at least a small portion of it should be available for public use.

**Commissioner Myers** stated that he did not see any negatives to approving the request.

**Commissioner Hargrave** moved to approve the request as recommended by Staff.

**Vice Chair Ashley** seconded

**Chair Hoffman** called for discussion

**None.**

**Chair Hoffman** called for the vote

**The motion was unanimously approved 6 to 0.** A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes

Vice-Chair Ashley – yes

Commissioner Hargrave – yes

Commissioner Wood - yes

Commissioner Omeg – absent

Commissioner McBain – absent

Commissioner Amery – yes

Commissioner Myers – yes

Commission Elliot - absent

## **V. QUASIJUDICIAL HEARING – COLUMBIA LAND TRUST**

### **File PLAQJR-13-01-0002:**

Request by Columbia Land Trust for an Open Space tax assessment to be applied to a 97 acre property located in the A-1 (160) and F-F (10) Zones of Wasco County

**Chair Hoffman** called for the staff report.

**Senior Planner Joe Shearer** presented the staff report (see attachment A), he also submitted Assessor information into the record. (see file for information)

**Chair Hoffman** called for the Applicant's testimony

### **Virginia Bowers, Columbia Land Trust**

**Ms. Bowers** stated that the subject property is within two tax lots from the property which was given open space in the past. She further stated that Columbia Land Trust hopes to protect the whole ridge at some point in the future.

**Chair Hoffman** called for other testimony in support

**Bruce Lumper, Past Property Owner**

**Mr. Lumper** stated that he currently lives south east of the subject property. They have been working to purchase and save and sell these lands for protection to the land trust. He further stated that the property is currently being taxed at a “speculative” rate, if they were taxed at a farm deferral rate the amount of tax would be much closer to that of the open space rate.

**Chair Hoffman** called for the additional testimony in support.

**None.**

**Chair Hoffman** called for the testimony in opposition.

**None.**

**Chair Hoffman** closed the hearing for deliberation.

**Commissioner Hargrave** stated that he was in support of this request as well. He also stated that it was a nice vision to connect the property and keep the ridges conserved.

**Vice Chair Ashley** moved to approve the request as recommended by Staff and to recommend approval to the Wasco County Board of Commissioners for both requests.

**Commissioner Hargrave** seconded

**Chair Hoffman** called for discussion

**None.**

**Chair Hoffman** called for the vote

**The motion was unanimously approved 6 to 0.** A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes  
Vice-Chair Ashley – yes  
Commissioner Hargrave – yes  
Commissioner Wood - yes  
Commissioner Omeg – absent  
Commissioner McBain – absent  
Commissioner Amery – yes  
Commissioner Myers – yes  
Commissioner Elliot - absent

**VI. QUASIJUDICIAL HEARING**

**File PLAQJR-12-08-0001 (previously: PLACUP-10-11-0023\_PLASTS-10-11-0026\_PLAQJR-10-11-0006).**

The request by owner, Gabriel Watson, is for an administrative (quasi-judicial) review of the following:

- 1) 40' x 28' x 24' (1,120 square foot), non-farm dwelling
- 2) 18' x 12' x 12' (216 square foot) shed
- 3) 7' x 7' sealed vault toilet
- 4) Variance to property line setbacks. Requested setbacks are as follows:
  - 25' from front and rear property line
  - 25' from side property lines
  - 25' from Deschutes River
- 5) Floodplain Development Review of requested structures located within the FEMA delineated floodplain
- 6) Modification to Wasco County Fire Safety Standards Review

**Chair Hoffman** opened the hearing as follows: We will now commence the public hearing on agenda item PLAQJR-12-08-0001, a review by the Planning Commission for: a non-farm dwelling, shed, sealed vault toilet, variance to property line setbacks, floodplain development review and modification to fire safety standards in the Exclusive Farm Use zone. The property is described as 7S 14E 8 D, tax lot 300.

The applicant and certain opponents want time to try to settle their differences outside of the land use hearing process. The applicant's attorney requested in writing that this hearing be continued to a date certain, April 2, and that the record remain open during that time. Staff discussed this continuance proposal with legal counsel, and they together agree that the continuance is in the county's best interests.

**Chair Hoffman** then stated that staff would like to enter the following information into the record:

- Letter from Oregon Parks and Recreation Department and Department of Justice General Counsel Division dated February 5, 2013
- Letter from United States Department of the Interior (BLM) Prineville District Office dated February 6, 2013
- Letter and accompanying attachments from Jordan Ramis (applicant's attorney) dated February 25, 2013
- Letter from Kenneth Klarquist, Jr., requesting party status and dated February 25, 2013
- Letter from Andrew Stamp (attorney) dated February 26, 2013
- Letter / Authorization Notice and accompanying attachments from North Central Public Health District dated November 4, 2012
- Letter from Jordan Ramis requesting continuance dates March 1, 2013

**Vice Chair Ashley** moved to continue the hearing to a date and time certain, said date and time being April 2, 2013, at 3:00 pm at the Gorge Discovery Center, Lower Level Classroom, 5000 Discovery Drive, The Dalles, Oregon.

**Commissioner Hargrave** seconded.

**Chair Hoffman** called for discussion

**None.**

**Chair Hoffman** called for the vote

**The motion was unanimously approved 6 to 0.** A listing of the vote, as required by Oregon Revised Statutes 192.650.c., is as follows:

Chair Hoffman – yes  
Vice-Chair Ashley – yes  
Commissioner Hargrave – yes  
Commissioner Wood - yes  
Commissioner Omeg – absent  
Commissioner McBain – absent  
Commissioner Amery – yes  
Commissioner Myers – yes  
Commission Elliot - absent

## **VII. ADJOURNMENT**

Meeting was adjourned at 4:02

Respectfully submitted,

---

Donald Hoffman, Chair  
Wasco County Planning Commission

---

John Roberts, Planning Director  
Wasco County Planning Department