



City of Irrigon Planning Commission Minutes  
April 5, 2011 at 6:00 p.m.  
**Irrigon City Hall**  
**500 NE Main Avenue**

1. Call to Order and Roll Call

Chair Tom Roberts called the meeting to order at 6 p.m.

Roll call was taken. Planning Commission members present were: Tom Roberts, Foster Carroll and Irene Fetsch. There was a quorum with the three commissioners.

Staff present: City Manager Gerald Breazeale and City Clerk Penny Moore.

Citizens present: Glena Hoffman and Deputy Nathen Braun.

2. Approve Minutes from the March 1, 2011 Planning Commission Meeting

Chair Roberts asked the Commissioners if they had read the minutes.

It was moved by Commissioner Carroll and seconded by Commissioner Fetsch to approve the March 1, 2011 minutes. Vote was taken. Motion carried unanimously.

3. Application for Planning Permit, Greenhouse at Irrigon Jr/Sr. High School – Map 5N 26 25A, Tax Lot 2600

There was a brief discussion on the application for an agriculture greenhouse at the high school. Manager Breazeale stated that he had tried to contact Mr. Greer at the school district; he was not available and a phone message was left for him. Chair Roberts determined once again to table the approval of the application until a better site plan could be submitted.

It was moved by Commissioner Carroll and seconded by Commissioner Fetsch to table the greenhouse application for the lack of information. Vote was taken. Motion carried.

4. City Code Review – Parking Requirements and Vehicle Storage

At this point City Manager Breazeale introduced Glena Hoffman stating that she was interested and has put her name in for one of the two vacancies open for planning commissioners. Manager Breazeale stated that

Ms. Hoffman previously has served many years on the planning commission as chair before going on a two year mission.

While waiting for Deputy Braun to arrive, Manager Breazeale stated that the planning commission is looking into the city code as far as enforcement of vehicle parking provisions. The current code is very strict as to where you can park a vehicle on your property, a review of the history of the parking in the community and the practices that have taken place are far outside of the city code. The planning commission is trying to determine what the community standard is, take a look at the standard, and then put the code into enforcement. Or if the community says the code is right and they want to keep it the way it is, the commission would recommend keeping the standard the way they want it.

Manager Breazeale stated that there was public comment at the February 2011 planning commission meeting with concerns about their property. If the Code Enforcement Officer is sent out he needs to have a better definition of what the code says. The current codes are from the state standard model.

Deputy Nathen Braun arrived at 6:19 p.m.

Chair Roberts started the city code review for parking requirements with looking at the definition of an inoperable vehicle.

Deputy Braun stated that the current definition of an inoperable vehicle is any piece of mechanized equipment that is unable to perform its primary function. He stated that if he sees a vehicle on someone's property that looks like junk, he has no way of knowing if it runs or not. It was discussed to have a benchmark to see if the vehicle is currently registered, and/or window glass broken, flat tires, etc. And if the vehicle does not run, it's illegal.

Chair Roberts recommended changing the definition of an inoperable vehicle and modifying it to fit what the public perception is and then not only be able to beautify the neighborhoods, but also not to step on the rights of individual homeowners.

There was a discussion on dismantled vehicles and/or vehicles in the process of being restored. Is it an eye sore or has there been complaints of the vehicle? Citizen Glenna Hoffman stated that if the vehicle is parked and looks nice, why that would be in violation. Commissioner Fetsch stated that the number one issue from the citizens was to clean up Irrigon, this is a starting point.

Chair Roberts asked to discuss definitions that he had put together and come up with language that the Code Enforcement Officer would be able to enforce. In review it was stated that a parked vehicle that is inoperable could have registration that would not expire for 6 months or more. It was proposed to change the language of the unlicensed vehicle from one year and insert the definition to read; 3 months or is missing components critical for function will be considered inoperable. (See attached Exhibit A). It was stated that the purpose of this definition of language is not to penalize everyone that has a vehicle that looks like it is not operable, as this is a starting point for existing vehicles that do not meet the code.

Penalty fees need to be developed to enforce code. Deputy Braun stated that to enforce chapter 10 development codes there also needs to be penalty fees. Morrow County development code has a Class A violation penalty of \$474. In the city code book chapters 4, 5, 6 & 7 do have penalties.

There are two different issues to consider penalties for; chapter 10 development code and chapter 4 nuisances' code.

Chair Roberts stated that this would be a good opportunity to make a recommendation to the city council to determine what language and new ordinances for penalty enforcement. Manager Breazeale stated that if the planning commission made that recommendation to the city council, they could probably work directly with the Sheriff's office. It was stated that an inoperable vehicle is on private property, an abandoned vehicle is on public property.

Manager Breazeale suggested that the commission bring the exact language to the next meeting to review before a public hearing is announced and review the earlier recommendation and comments. He suggested that the commission review the earlier recommendations to incorporate information from the public testimony.

It was moved by Commissioner Carroll and seconded by Commissioner Fetsch to review the previous minutes and discussions in regards to the quantitative amounts of vehicles and such and the motion said to apply from the previous meetings and bring it to the table. Vote was taken. Motion carried.

Chair Roberts discussed the inoperable vehicle language, to present to the city council for review, and then some enforcement can occur. Chair Roberts asked for a motion to accept the language proposal to be sent to the city council as read, to insert 3 months or is missing components critical for function will be considered inoperable.

It was moved by Commissioner Carroll and seconded by Commissioner Fetsch to insert the new language proposed; to read, 3 months or is missing components critical for function will be considered inoperable language, to be sent to the city council for consideration. Vote was taken. Motion carried.

It was moved by Chair Roberts and seconded by Commissioner Carroll to have the city council consider reviewing the penalty claws in the development code and to bring into line with state code. Vote was taken. Motion carried.

Deputy Braun stated that the penalties in the nuisance's code need to be looked at, Manager Breazeale stated that the city council will look at all the chapters.

## 5. Additional Discussion

Chair Roberts stated that at one time there was a discussion on the medical marijuana issue and whether or not that applied to anything the planning commission can look at. There was a brief discussion on the limited zoning issue that the commission can control. Manager Breazeale asked Deputy Braun if the state law precludes the local jurisdictions from controlling the size of the plots and the conditions that the marijuana can be grown under, does the state code preempt the cities abilities to legislative it. Deputy Braun did not know the answer to that question. Also discussed were large crops, crops for multi individuals, safety and concerns. This issue was tabled until the next meeting.

Adjournment: at 7:19 p.m.

Next Regular Meeting: City of Irrigon Planning Commission – May 3, 2011 - All meetings begin at 6:00 p.m.

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Irene Fetsch  
Planning Commission Secretary