



City of Irrigon Planning Commission Minutes  
September 6, 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 6:05 p.m.

Roll call was taken. Planning Commission members present were: Tom Roberts, Irene Fetsch and Glenna Hoffman. Foster Carroll was absent.

Staff present: City Manager Gerald Breazeale.

Citizens present: Andy Fletcher and Matt Combe both representing the Morrow County School District.

2. Approve Minutes from the August 2, 2011 Planning Commission Meeting

Chair Roberts asked the Commissioners if they had read the minutes. Commissioner Fetsch asked questions about the section pertaining to vehicles. City Manager Breazeale advised that the commission will discuss the issue in further detail later in the agenda; however, he believes that they successfully captured the information discussed at the August meeting appropriately. It was moved by Commissioner Hoffman and seconded by Commissioner Fetsch to approve the August 2, 2011 minutes as submitted. Vote was taken. Motion carried unanimously.

3. Conditional Use Permit-Morrow County School District to Convert Two CSEPP Mobile Shelter Units into Permanent Use Structures at 240 Columbia Avenue No. 5N 26 24CD, Tax Lot 800

Chair Roberts read the Public Forum Disclaimer and then **Opened Public Hearing** to receive testimony on the conditional use permit for Morrow County School District to convert two CSEPP mobile shelter units to permanent structures.

#### 4. Receive testimony

Matt Combe, Facilities & Maintenance Director stated that the Morrow County School District (MCSD) was looking for approval to convert the temporary CSEPP buildings to permanent use structures to be used for office space for district office personnel. Mr. Combe stated that with the approval of the use permit the required upgrade that was recommended by the city would be done from the site evaluation for 240 Columbia Avenue.

City Manager Breazeale recommended the approval to the commissioners with the condition that the site be connected to the public sewer system, stating that there are only holding tanks presently and to use the facilities there would be the need to have a pump all the time and that is not appropriate. The units will need a new septic tank and a service line tied into the main line. Chair Roberts asked for confirmation that the MCSD will bring the two structures up to code. Mr. Combe stated yes.

Chair Roberts asked the commissioners if they had any questions. Manager Breazeale stated that they had not been any negative comments about the temporary structures or about the proposed conversion to permanent.

Chair Roberts **Closed the Public Hearing.**

#### 5. Conditional Use Permit-Morrow County School District to Convert Two CSEPP Mobile Shelter Units into Permanent Use Structures at 240 Columbia Avenue No. 5N 26 24CD, Tax Lot 800

Chair Roberts asked for any additional discussion from the commissioners.

It was moved by Commissioner Hoffman and seconded by Commissioner Fetsch to approve the conditional use permit for Morrow County School District to convert two CSEPP mobile shelter units to permanent structures as written in the staff report. Vote was taken. Motion carried unanimously.

Both Andy Fletcher and Matt Combe departed at this time after thanking the commissioner. Manager Breazeale stated that he will follow up with a letter stating the approval to be sent.

#### 6. Code Revisions

Manager Breazeale stated that Ordinance 208-11 (an ordinance amending city code title 4, chapter 1, nuisances, section 4-1-1, definitions, inoperable vehicle) is a draft for the approval of the commission. The city attorney has approved the ordinance. This ordinance would change the definition of inoperable vehicle to include a vehicle that is unlicensed or has a missing component for legal operation. The Deputy previously reported that if the vehicle would start and run and could be moved it would be considered an operable vehicle.

Also discussed previously was allowing parts vehicles. The draft for allowing parts vehicles is not ready; the city attorney is revising that ordinance.

Manager Breazeale stated that this code says that if not licensed it is not operable because you cannot take the vehicle out on the highway. Commissioner Hoffman stated that she is still having a problem with this issue, if the vehicle is not being taken out on the street, a license is not required. If a car is setting in your yard and not being moved, why do you need a license on the vehicle? Manager Breazeale stated it is so enforcement can be made. Chair Roberts stated that the definition is being changed not the actual code, the code still states that you can have that car, but not a junk car. The definition of what an inoperable vehicle is what is being changed, so that when there are several vehicles enforcement can be taken. The definition says you have to be able to take the vehicle out on the road. Commissioner Hoffman asked why you can't have a vehicle not licensed in your yard. Manager Breazeale stated what the Code Enforcement Officer is looking for is a problem vehicle not a vehicle that is totally operable and maybe the license has elapsed. The existing code states that if you have a vehicle that is not in a garage or in a driveway it is in violation of the code, and that is what the city is trying to avoid. The Code Enforcement Officer needs enforcement tools, standard that they can use to say you cannot have that. Previously there was talk to change code to allow one inoperable unlicensed vehicle with a permit. Manager Breazeale stated that previously discussed was having one project vehicle in a garage (enclosed) and one parts vehicle outside with a permit. If the property owner has a good reputation and their neighbors appreciate the way they take care of things, then the neighbors would be more likely to say yes to have another vehicle to work on.

It was moved by Commission Roberts and seconded by Commission Hoffman to approve draft Ordinance 208-11 (an ordinance amending city code title 4, chapter1, nuisances, section 4-1-1, definitions, inoperable vehicle) as written by the city attorney to submit to the city council for consideration no later than the October city council meeting. Vote was taken. Motion carried unanimously.

City Manager Breazeale stated that also under code discussion is medical marijuana Ordinance 209-11 which captures all of the discussions from previous meetings. The city attorney has reviewed and made a couple of comments which should be incorporated in ordinance. One being that the state law states the growing of marijuana within 1,000 feet of a school district is prohibited (not 1,500 feet). The civil penalty was added. The ordinance allows growing medical marijuana indoor or a greenhouse with inspections, renewal of license annually, and the registration card for the person for whom the marijuana is being grown displayed at the grow site.

Chair Roberts asked about including that the city has the right to revoke a permit if not in compliance. Manager Breazeale stated that can be added since under the civil penalty it states violating any provision of the ordinance can be assessed. Permit revoke will be added.

It was moved by Commission Hoffman and seconded by Commission Fetsch to send draft Ordinance 209-11 as written, prescribing the permitted legal growing of medical marijuana in Irrigon to the city council for approval with the revisions that are stipulated in the ordinance and to include the *ability to revoke permits*, to the city council no later than October 2011 city council meeting. Vote was taken. Motion carried unanimously.

## 7. Umatilla Army Depot LRA

Manager Breazeale stated that the LRA group reviewed the notice of interest that was submitted and they essentially said that the City of Irrigon did not have a valid proposal because the depot is outside the

city and the urban growth boundary and the county does not support Irrigon's proposal at all. The Ports of Umatilla and Morrow were rated high on the notice of interest, however, neither pursued any further beyond that.

The only difference between the General Services Administration (GSA) and Base Realignment and Closure (BRAC) process is that the GSA does not require an LRA. The process is where the communities can tell the military what they want to do with the land. The LRA has gone through the process and has prepared a reuse plan, which designates a land use plan that sets aside property for industrial, National Guard and fish and wild life. The tribes wanted the habitat reserved, the ports wanted industrial development and the Nation Guard wanted a training facility.

The location of the Depot is between a highway and freeway with a rail going through it and there is electrical power available. Part of the procedure in the reuse plan recommended that the LRA form a implementing LRA that would take ownership of the property and put the Economic Development Conveyance (EDC) in that allows the military to award at no cost the property to the LRA, who has to commit to an economic plan for development of that property; then, after seven years, all the restrictions go away. The National Guard is starting to use the base for training. The City of Irrigon is still waiting and is ready to put industrial activity into plan.

The city does not have any viable industrial land for development, and that is one of the issues the city faces, the city is required by state law to have an inventory of industrial land. The hope is that the Depot will fulfill that.

## 8. Additional Discussion

There being no further discussion the meeting was adjourned.

Adjournment was at 7:13 p.m.