MINUTES
MAUPIN PLANNING COMMISSION MEETING
May 17, 2017

PRESIDING:	Dale Madden
Commission Present:	Dale Madden, Susan Wright, Virginia Fuller, Denis Carlsen
Commission Absent:	Suze Riley
Staff Present:	City Recorder/ZOA DeOra Patton, Planner Nick Kraemer

Visitors Present: Lois Nelson, Ralph Wimmer, Fred Macklin, Frank & Susan Kay, Medy & Tom Gantz, Jennifer Mitchke, John Bildsoe, Stan Fargher, Mike Foreaker

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE. The meeting was called to order by Chairman Madden at 6:00 p.m. Roll Call of Planning Commission was conducted by Recorder Patton. Chairman Madden led the Commissioners in the Pledge of Allegiance.

OATH OF OFFICE. Planner Kraemer administered the Oath of Office to Denis Carlsen.

CONSENT AGENDA: APPROVAL OF MINUTES OF APRIL 18, 2017. It was moved by Commissioner Wright, seconded by Commissioner Carlsen, and passed unanimously; the Commission approves consent agenda as presented.

PUBLIC HEARING TO TAKE PUBLIC TESTIMONY AND MAKE A DECISION ON RECOMMENDATION TO THE CITY COUNCIL ON AN APPLICATION FOR AN OLCC "OFF-PREMISES SALES" LIQUOR LICENSE FOR MAUPIN HARDWARE. For the record, notice of this hearing was published in The Dalles Chronicle, posted locally and on City website, and mailed to surrounding property owners within 100 feet. The application was available for public inspection at city hall.

Planner Kraemer announced the purpose, this hearing to be a quasi-judicial public hearing, and rules of procedure. He read the applicable criteria and cited the ORS Statute rules pertaining to testimony and evidence, the raising of issues, continuances, and failure to raise an issue precluding appeal to the City Council or Land Use Board of Appeals.

There were no abstentions from any Commissioner, and no audience objections to the Commission or any of its members to hear the matter.

Chairman Madden opened the hearing, and Planner Kraemer reviewed his Staff Report. The applicant is requesting an OLCC license to allow them to sell beer to be taken off-premise and not consumed on-site. The beer will be sold via a growler fill station – which requires the store employee to fill a container from a selection of 2-4 beer taps. The property is planned and zoned

General Commercial and it is an existing commercial use. Staff recommends approval of the proposed license pending public testimony.

PROPONENTS: Applicant Stan Fargher explained what a growler is, and he acknowledged the investigation conducted on him by the Department of Agriculture resulting in approved eligibility for an interim temporary license.

Frank Kay and Mike Foreaker spoke in favor with recognition Stan Fargher is responsible.

OPPONENTS: Ralph Wimmer opposed for reasons that the store is close to the school, that the license can be expanded later, people do not normally sell liquor in hardware stores, and does not feel we need 5 places in town selling liquor.

In rebuttal, Mr. Fargher reported he and OLCC contacted School Superintendent Ryan Wraught, and Mr. Wraught said there is no problem.

There being no other testimony, Chair Madden closed the public portion of the hearing and called for deliberation. It was moved by Commissioner Carlsen, seconded by Commissioner Wright, and passed unanimously; the Commission accepts the City Planner's Staff Report and recommends to the City Council approval of this proposed license.

PUBLIC HEARING TO TAKE PUBLIC TESTIMONY AND MAKE A DECISION ON A PARTITION APPLICATION BY FRED MACKLIN TO REPLAT A 0.48 ACRE PARCEL LOCATED AT 402 FIRST STREET. For the record, notice of this hearing was published in The Dalles Chronicle, posted locally and on City website, and mailed to surrounding property owners within 100 feet. The application was available for public inspection at city hall.

Planner Kraemer announced the purpose, this hearing to be a quasi-judicial public hearing, and rules of procedure. He recognized the applicable criteria and ORS Statute rules pertaining to testimony and evidence, the raising of issues, continuances, and failure to raise an issue precluding appeal to the City Council or Land Use Board of Appeals.

There were no abstentions from any Commissioner, and no audience objections to the Commission or any of its members to hear the matter.

Chairman Madden opened the hearing, and Planner Kraemer reviewed his Staff Report. The applicant is proposing to divide an existing 0.48-acre parcel into two equally sized lots of 0.24 acres each and 70' x 150'. Parcel 1 contains an existing single-family residence. Staff recommendation is for approval with conditions based on findings of fact outlined in the staff report.

PROPONENTS: Applicant Fred Macklin explained the location and desire to replat the land the same as the City did in previous years.

Nearby property owners Tom & Medy Gantz submitted support.

OPPONENTS: none

There being no other testimony, Chair Madden closed the public portion of the hearing and called for deliberation. It was moved by Commissioner Fuller, seconded by Commissioner Wright, and passed unanimously; the Commission accepts the City Planner's Staff Report and approves this proposed replat with conditions outlined in the Staff Report.

PUBLIC HEARING TO TAKE PUBLIC TESTIMONY AND MAKE A DECISION ON RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED ZONING ORDINANCE TEXT AMENDMENTS TO CLARIFY THE BED & BREAKFAST REGULATIONS, CONSIDER ALLOWING HOSTED HOMESHARE RENTALS, AND CONSIDER BANNING NO-HOST/WHOLE HOUSE VACATION RENTALS. For the record, notice of this hearing was published in The Dalles Chronicle, posted locally and on City website, and mailed to all home & business owners in the City. The application was available for public inspection at city hall.

Planner Kraemer announced the purpose, this hearing to be a Legislative hearing, and rules of procedure. He recognized the applicable criteria and ORS Statute rules pertaining to testimony and evidence, the raising of issues, continuances, and failure to raise an issue precluding appeal to the City Council or Land Use Board of Appeals.

Commissioner Fuller disclosed she used to operate a motel and can make impartial decision. There were no audience objections to the Commission or any of its members to hear the matter.

Chairman Madden opened the hearing, and Planner Kraemer reviewed his Staff Report.

BED & BREAKFAST: The goal of the legislative revisions for Bed & Breakfast facilities is to clarify the development standards and land use processes required for B&Bs. Currently, B&Bs are allowed as a Conditional Use in the Low Density Residential, Medium Density Residential, and High Density Residential zones. It is not recommended to add as Conditional Use in the Industrial and Agricultural zones. The Commission will consider allowing them as Conditional Uses in Large Lot Residential, General Commercial, and Recreational Commercial zones.

Written and verbal testimony was submitted supporting Bed & Breakfast facilities with requirement the facility must be owner occupied. Additional testimony included suggestions of requiring annual permit review, review permit on change of ownership, review permit on

complaint, and increasing the water and sewer charges for the months the permit is issued for to compensate for the extra burden on the city owned facilities.

VACATION RENTALS: Currently the City Zoning Ordinance has no direct reference to vacation rentals. The purpose of these amendments is to clearly state what uses are allowed and what uses are prohibited in the City in regard to vacation rentals. The direction from City Council to Planning Commission was to consider an outright ban on whole house/no host vacation rentals. The proposed amendments provide two options for consideration, those being: Option 1 – Outright Ban on Vacation rentals and Hosted Homeshare, and Option 2 – Outright Ban on Vacation Rentals and allowance of Hosted Homeshare.

Planner Kraemer acknowledged the City having received letters of written testimony (3 in support of banning vacation rentals, 3 opposed, and 1 urging to look at all possibilities with care and consideration.)

Verbal testimony was submitted supporting Option 1 for an Outright Ban on Vacation rentals and Hosted Homeshare for the following issues and concerns: Problems encountered in other cities; Hosted Homeshare can be open to abuse; Would change the neighborhood; Hard to regulate; Cost to City to regulate; Drives up housing costs; Have housing shortage now; City does not have resources to enforce; Census shows 27% of houses are dark houses so over ¼ of the houses in town can become vacation rentals; Because of problems since 2008, Palm Springs now has a 52-page ordinance on vacation rentals; Property management works only for the client – making money; A host might be unknown - changing weekly; Should not open potential for problems; and Having ban in writing gives strength. Written testimony stated like concerns plus issues as to resident's emotional and financial investment and security and safety. A couple of people submitted they are okay with vacation rentals in commercial zones.

Written testimony opposing the ban stated benefits to making Maupin a place for families – having a "home-base" rather than a hotel room to enjoy an extended stay; financial support for local businesses; help residents earn money to pay property taxes; attract families to buy property who know they may be able to afford it knowing they can also offer short term rentals; offers alternative to hotels; it encourages maintenance and renovation activity that generates economic activity; and potential for economic growth with renters becoming interested in moving to Maupin.

There being no other testimony, Chair Madden closed the public portion of the hearing and called for deliberation. It was moved by Commissioner Wright, seconded by Commissioner Carlsen, and unanimously passed; the Commission makes recommendations to the City Council to adopt the Bed and Breakfast proposed amendment text with revision to Section 4.14 F to require the Facility must be owner-occupied and addition to Section 4.14 G to include registration with the

City to pay transient room tax, and to adopt the text amendment for an Outright Ban on Vacation Rentals and Hosted Homeshare (Option 1).

CONSIDER REQUEST FOR TEMPORARY USE OF MOTORHOME AT 605 GRANT STREET WHILE REMODELING EXISTING DWELLING. Recorder Patton reported the new homeowner inquired of this use at the beginning of this month, and to-date has failed to file a letter of request and intent. There was no action taken by the Commission due to having no application.

OPEN AGENDA: none

CONTINUATION OF STUDY SESSION ON RE-ZONING OF LAND WITHIN THE CITY OF MAUPIN: Planner Kraemer reported the cost estimate for a traffic study to be $4,500.

NEXT MEETING: June 13, 2017

ADJOURN: Chairman Madden adjourned the meeting at 8:13 p.m.

Respectfully submitted by
DeOra M Patton
City Recorder

SIGNED Dale Madden
Chairman