



**PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED**  
**THURSDAY, APRIL 28, 2016 AT 5:00 PM**  
City Hall ~ 82877 Spruce St., Westlake, OR 97493

The proceedings of the Dunes City Planning Commission were recorded and are on file at Dunes City Hall. Upon approval by the Planning Commission, these minutes will be available online at [www.dunescity.com](http://www.dunescity.com).

**1. CALL TO ORDER**

Chairman Paul Gargis called the April 28<sup>th</sup> Planning Commission's regular session to order at 5:00 pm.

**2. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**3. ROLL CALL**

Roll Call was not taken, however, City Staff verified:

**Present:** Chairman Paul Gargis, Vice Chairman Bonnie Allen, Commissioner Brett McKnight, and Commissioner Ken Pesnell.

**Absent:** Commissioner Steve Galbraith.

**Others Present:** City Administrator/Recorder Jamie Mills and Administrative Assistant Rapunzel Oberholtzer.

**4. APPROVAL OF THE AGENDA**

**Vice Chairman Allen made a motion to approve the Agenda. Commissioner McKnight seconded the motion. The motion passed by unanimous vote.**

**5. APPROVAL OF THE CONSENT AGENDA**

A. Planning Commission Meeting Minutes of March 24, 2016

**Vice Chairman Allen made a motion to approve the Consent Agenda minutes as presented. Commissioner McKnight seconded the motion. The motion passed by unanimous vote.**

## 6. ANNOUNCEMENTS /CORRESPONDENCE

Chairman Gargis read aloud from the list of announcements from the Agenda.

- A. The 4<sup>th</sup> Annual Oregon Dunes Triathlon and Duathlon is scheduled for Saturday, May 7<sup>th</sup>. Dunes City still needs lots of volunteers for the event. Call Rapunzel at City Hall to sign up or get more information.
- B. On April 14<sup>th</sup> the City Council voted to leave the record open for public comment on Septic Maintenance Ordinance No. 228 until close of business on April 28<sup>th</sup>. Council deliberation on the Ordinance is scheduled to be held during the May 12<sup>th</sup> Council meeting.

Vice Chairman Allen asked whether the Council's meeting packets included the Planning Commission's motion to communicate to the Council the Commission's opinion that the City have a septic maintenance ordinance in place that is enforced. Staff agreed to make sure that it had been included.

## 7. CITIZEN INPUT

There was none.

## 8. UNFINISHED/OLD BUSINESS

- A. Surface Water Management (Staff/Attorney Recommendations)

There was some discussion about the City Attorney's recommendation not to include Surface Water Management regulations in Land Use Code, as the Planning Commission had at one time considered doing during its work on Chapter 155 revisions. Vice Chairman Allen noted that the City Attorney recommendation would move the code for surface water management out of Land Use to Water Quality Protection, City Code that is not under the purview of the Planning Commission, and asked whether or not the Planning Commission needed to review the content of the proposed water quality ordinance. City Administrator/Recorder Mills explained that the Commission did not have to review the ordinance language, but noted that it is always a good idea to have as much input on new code as possible.

There was some discussion about what, if any, action was required by the Planning Commission and whether or not the Commission should weigh in on the language of the proposed ordinance. City Administrator/Recorder Mills explained that because some of the ordinance language currently exists in Title XV (Land Use), the Commission should decide whether or not to move the language into Title XIV (Water Quality) and could comment on the proposed language.

**Chairman Gargis made a motion to move Surface Water Management out of Title XV, Chapter 155 and into Title XIV. Vice Chairman Allen seconded the motion. The motion passed by unanimous vote.**

It was agreed to send the proposed ordinance on to the City Council without comments or recommendations from the Planning Commission.

## **9. NEW BUSINESS**

### **A. Alternative Energy/Power Generation**

Vice Chairman Allen opened discussion of the Agenda item by explaining that she had noticed what appears to be an increasing number of homeowners interested in moving their homes “off the grid.” She asked whether Dunes City Code addresses alternative energy issues such as installing solar panels, generators, windmills, and composting toilets instead of septic systems. She went on to point out that Lane County requires any house built in the County to have a septic system. City Administrator/Recorder Mills noted also that the County requires a septic system for gray water disposal even if a home is built with a composting toilet.

Vice Chairman Allen went on to raise the issue of a potential nuisance caused by noise from propane generators and pointed out restrictions on unreasonable noise contained in Dunes City’s Ordinance No. 220 regarding nuisances, which was included in the meeting packets for informational purposes. During discussion, Commissioner Pesnell pointed out that it would be unlikely that anyone would install a propane generator for daily power generation, it would be cost prohibitive and impractical, so that noise from daily use would not be an issue. Also, it was noted that emergency generators are usually small and can not be heard from 50 or 100 yards away, the distances described in the noise provisions of Ordinance No. 220. There was a brief discussion about whether or not the City could or should define maximum acceptable noise in decibel levels. City Administrator/Recorder Mills explained that the equipment used to measure decibel levels was cost prohibitive for Dunes City and calibrating it was also expensive.

Discussion turned to what would happen if a person wanted to install a windmill for power. City Administrator/Recorder Mills explained that Dunes City Code is silent on that issue but the Oregon Department of Energy created a model ordinance that provides guidelines for cities and counties could develop for addressing the siting and use of alternative energy sources. Chairman Gargis requested City Staff to email a copy of the model ordinance or a link to it to the Commissioners. Staff agreed to do so.

Discussing solar power, City Administrator/Recorder Mills explained that Dunes City Code primarily relies on State guidelines. Chairman Gargis pointed out the handout that was distributed to Commissioners, noting that it was an excerpt from the Chapter 155 provisions for solar access.

## **10. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA**

Chairman Gargis asked City Staff about progress on Chapter 155. Rapunzel reported that she and City Administrator/Recorder Mills completed a review of Division 155.2 and the finished, or nearly finished, version would be available for Commissioners to discuss during the May Planning Commission meeting.

City Administrator/Recorder Mills noted that the May Agenda for the City Council included a discussion about giving the Planning Commission the authority and discretion to begin forming Citizen Advisory Committees as needed to review Chapter 155 revisions. There was some discussion about the CAC processes.

There was some discussion about Chapter 155's regulations on Accessory Buildings. It was determined that Division 155.2 addressed the provisions for Accessory Buildings. There was also some discussion about the process for enforcement of non-compliance with the septic maintenance ordinance.

## **11. ADJOURNMENT**

Chairman Gargis adjourned the Planning Commission meeting at 5:30 pm. There was no motion for adjournment or vote.

**APPROVED BY THE PLANNING COMMISSION ON THE 26<sup>th</sup> DAY OF MAY 2016.**

[Signed copy available at City Hall]

Paul Gargis, Chairman

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder