



**PLANNING COMMISSION SPECIAL SESSION MINUTES ~ APPROVED**  
**WEDNESDAY, APRIL 24, 2013 AT 2:00 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**

The Planning Commission Special Session meeting was called to order by Chairman George Burke at 2:01 pm.

**2. ROLL CALL**

Roll Call was taken by City Recorder Fred Hilden.

**Present:** Chairman George Burke, Vice Chairman Lee Riechel, Commissioner Darlene Beckman, and Commissioner Paul Gargis.  
Commissioner Norman Martin arrived at 2:07 pm.

**Absent/Excused:** Commissioner Ken Henderson.

**Others Present:** City Recorder Fred Hilden.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

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

**5. APPROVAL OF THE CONSENT AGENDA – None**

**6. ANNOUNCEMENTS / CORRESPONDENCE**

City Recorder Hilden announced that US Bank has acquired title sponsorship for the May 11 triathlon, which will be called US Bank Oregon Dunes Triathlon and Duathlon. He said that PeaceHealth may join in sponsorship at a “gold” level and that Siuslaw Valley Fire and Rescue and Western Lane Ambulance will be on hand at various aid stations around the race routes. Mr. Hilden noted that City Councilors would be on hand as volunteers and added that a few more volunteers are needed to participate on race day.

**7. CITIZEN INPUT – None**

**8. PUBLIC HEARING – None**

**9. NEW BUSINESS**

**A. Shoreland Vegetation / Tree Removal Permit (Booth Island – Beckman)**

Vice Chairman Riechel presented the Conservation Committee Report based on the site visit that he and Conservation Committee members performed on April 23<sup>rd</sup>. Present during the site visit were Conservation Committee members Richard Anderson, Lee Riechel, David Jackson, and David Dumas, a quorum of the Committee, as well as the property owners. Vice Chairman Riechel submitted photos of the site and described the Committee's inspection of the area. He noted that the project to remove seven (7) conifers complies with Dunes City Code Section 154.03 regarding vegetation removal requirements and stated that the Conservation Committee recommends approval of the permit application.

**Commissioner Martin made a motion to approve the Booth Island tree removal permit application. Commissioner Gargis seconded the motion. The motion passed with two votes for approval and two abstentions.**

**10. UNFINISHED / OLD BUSINESS**

**A. Continue Review of Chapter 154.**

Chairman Burke reviewed the results of the April 9 meeting in which the Commissioners began review of Chapter 154 and summarized the changes the Commissioners had agreed to make. Before moving on to discuss additional changes, he opened the meeting to a roundtable discussion for the Commissioners to clarify their concerns about the existing restrictions, exemptions and various definitions relating to vegetation removal and maintenance, and to express their recommendations for changes.

A lengthy discussion ensued in which Commissioners expressed concerns about: Dunes City's ability to police and enforce certain sections of the code relating to the removal of vegetation and cutting to setback and height limitations; the long-term effects of certain height restrictions; the height restrictions for tree stumps vs. other vegetation; potential conflicts with state code and state definitions, e.g., state definitions for riparian corridor, shoreland zone and soil erosion; and the permitting process.

The conversation resulted in several suggestions for consideration: clarify the shoreline zone width and other shoreline restrictions and align them with state guidelines; amend vegetation removal and trimming restrictions to make them more logical and easier to understand; apply state definitions when possible; and define tree stump height restrictions.

Chairman Burke noted that staff has been directed to acquire the most recent state code definitions of soil erosion, shoreland zone and riparian corridor and hopes to have them on hand for future meetings to review Chapter 154.

Chairman Burke requested a short recess at 3:30 pm and reconvened the meeting at 3:48 pm.

Recapping the discussions, Chairman Burke noted that the definitions in existing subsection 154.02 for Original Vegetation Inventory needed to be revised to follow the Commission's recommendations for vegetation removal, pruning and maintenance, and stump removal, and to include, if necessary, the state definitions. He went on to review other suggested changes recommended by Commissioners.

Chairman Burke noted that in the April 9 meeting Commissioners agreed to make the following changes to the proposed language in Section 154.03:

The Section would be renumbered to 154.02, the title "Permit for Vegetation Removal Required Exceptions" would be changed to read, "Permit for Vegetation Removal Required and Exceptions" and subhead (A) "Generally" would be changed to "Permit Required."

Also in Section 154.02:

1. Paragraph (A)(1) would be changed to read, "A vegetation removal permit is required if any vegetation/tree is to be removed from the shoreland zone or riparian corridor."

Chairman Burke went on to review other changes to which Commissioners agreed:

Also in Section 154.02:

1. Paragraph (2)(a) should be deleted entirely.

Commissioners discussed at length Paragraph (2)(b), noting that it should be renumbered to (2)(a). Commissioners also discussed at length Code requirements pertaining to water quality and soil erosion within 50 feet of the water line and the planting of grassy areas along the shore. It was agreed that staff should ask the City Planner and City Engineer for information about who would be the most qualified individuals to recommend soil erosion prevention and control methods in the riparian zone.

Further discussion ensued. It was generally agreed to keep the language relating to maintenance (trimming, limbing and pruning) for now. However, Commissioner Gargis suggested eliminating the three-foot height limitation on trimming and mentioned that the City should take steps to inform citizens about the prohibitions and limitations of using fertilizer in the 50-foot zone. Vice Chairman Riechel suggested that trimming and limbing might need to be more clearly defined; he also noted that it would be difficult for the City to police and enforce some of these requirements. Mr. Hilden suggested that it was important to keep the permitting process so that citizens applying for permits could be

educated about the importance of erosion control. Everyone agreed that they needed more time to gather information and consider how to edit the paragraph. There were no edits at this time.

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

Chairman Burke requested to schedule the next Special Session of the Planning Commission for review of Chapter 154; it was agreed by all that that Special Session would take place on Wednesday, May 8<sup>th</sup>, at 2:00 pm.

The next Planning Commission Regular Session on May 23<sup>rd</sup> was scheduled to start at 6:00 pm following a previously scheduled Public Hearing. All agreed to cancel the April 25<sup>th</sup> meeting.

#### **12. ADJOURNMENT**

**Chairman George Burke asked for a motion to adjourn. Commissioner Beckman made a motion to adjourn the meeting. Vice Chairman Riechel seconded the motion. The motion passed by unanimous vote.**

Chairman Burke adjourned the Special Session of the Planning Commission at 4:51 pm.

**APPROVED BY THE PLANNING COMMISSION ON THE 23<sup>rd</sup> OF JANUARY 2014.**

[Signed copy available at City Hall]

George Burke, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Rapunzel Oberholtzer, Administrative Assistant