



PLANNING COMMISSION SPECIAL SESSION MINUTES ~ APPROVED
MONDAY, FEBRUARY 17, 2014 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.

1. CALL TO ORDER

The Special Session of the Planning Commission was called to order by Chairman George Burke at 2:02 pm.

2. ROLL CALL

Roll Call was taken by City Administrator Fred Hilden.

Present: Chairman George Burke, Commissioner Darlene Beckman and Commissioner Ken Henderson.

Absent/Excused: Vice Chairman Paul Gargis and Commissioner Norman Martin.

Others Present: City Administrator Fred Hilden and Planning Secretary Rapunzel Oberholtzer.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Chairman Burke announced that there was no quorum present and, therefore, there could be no vote to approve the agenda or votes on other actions.

5. APPROVAL OF THE CONSENT AGENDA – None

6. ANNOUNCEMENTS / CORRESPONDENCE

City Administrator Hilden announced that the Road Commission's intern, Ross Peizer from the University of Oregon, visited Dunes City on Saturday, February 15th, to meet with him and Mayor Ruede and to have a guided tour of the City. Mr. Hilden went on to remind the Commissioners that Dunes City resident and Road Commissioner, Richard Palmer, was nominated for LCOG's Outstanding Citizen for 2013.

7. **CITIZEN INPUT** – None

8. **PUBLIC HEARING** – None

9. **UNFINISHED / OLD BUSINESS**

A. Continue Stormwater/Surface Water Management Rule (Chapter 141)

Chairman Burke suggested that Commissioners postpone work on the draft Stormwater Management Plan until after they reviewed the stormwater references in the Woahink Ridge CCR and the development's Stormwater Management Plan, Item 10 A on the agenda for the meeting. Commissioners agreed.

After reading and discussing the Stormwater Management Plan and the relevant excerpts from the CCR, Commissioners agreed that there was no applicable content that could be included in the new Dunes City Stormwater Management Plan.

However, during the discussion Chairman Burke pointed out that the Maintenance Plan described on pages 6 and 7 of the Woahink Ridge Stormwater Management Plan would be similar to what Dunes City would want. Also during discussion, City Administrator Hilden noted that the Woahink Ridge development has, or will have, a Home Owners Association that is responsible for maintaining the stormwater system and asked who would be responsible for maintenance during the period before the Home Owners Association (HOA) assumes responsibility. There was a twenty-minute discussion about how and when an HOA assumes responsibility for maintenance of the system. It was generally agreed to rely upon the City Attorney to craft the appropriate language from guidelines for the intent provided by the Planning Commission.

Prior to the start of the meeting, staff distributed copies of the draft Dunes City Stormwater Management document that was created during the February 11th Special Session of the Planning Commission. Chairman Burke reminded those present that no definitions were included in the draft yet. Staff volunteered to insert definitions later. During discussion of the February 11th draft the following changes were agreed upon:

PUBLIC STORMWATER SYSTEM

A. *Storm drainage and management facilities within a partition, subdivision or Planned Unit Development (PUD) or commercial development may or may not have a publicly owned and maintained system. Generally, if the City owns and maintains the roads and there is free ingress and egress from the community (not gated), then the City may own and maintain the stormwater system provided the easement and maintenance requirements of this Code are satisfied. Ownership of the ~~PUD~~-stormwater system shall be established prior to the issuance of ~~construction permits~~ the preliminary plat.*

STORMWATER DESIGN STANDARDS

All stormwater facilities and associated Operations and Maintenance Plans will be designed to the specifications of the City Engineer.

DRAINAGE PLAN SUBMITTAL REQUIREMENTS

- A. A Drainage Plan is required for all partitions, subdivisions, PUDs, and commercial development. A stormwater Drainage Plan is not required for single family residential development.
- B. A registered Professional Engineer licensed by the State of Oregon shall prepare, certify, and seal the Drainage Plan ~~whenever a Professional Engineer is required in the Stormwater Manual or state law. Furthermore, prior to land disturbing activity, the developer for the land disturbing activity shall certify that the proposed activities will be accomplished pursuant to the approved plan.~~
- C. If a land use approval is required, the Drainage Plan shall be submitted and approved as part of the land use approval process. ~~If no land use approval is required, the Drainage Plan shall be submitted as part of the application for a construction or facility permit.~~

PRIVATE FACILITIES

Private stormwater facilities will be the responsibility of the property owner until and if such time a Homeowners Association assumes responsibility for maintenance. Any change in the maintenance responsibility for the stormwater system requires notification to the City.

- A. Private stormwater facilities must be maintained in accordance with the Operations and Maintenance Plan approved as described in the Stormwater Design Standards. The Operations and Maintenance Agreement Plan will be recorded with the Lane County Deeds and Records Office with a copy provided to the City. The City may, at its option, inspect the facilities for compliance at time intervals not exceeding one year to be performed by the City Engineer at the owner's expense. A log of all maintenance activity shall be kept by the ~~owner~~ responsible party and made available to the City upon request. If a ~~property owner~~ responsible party fails to maintain their facilities, the City may issue a written notice specifying the required actions. If corrective actions are not completed in a timely manner, the City may pursue legal remedies to enforce the provisions of the Operations and Maintenance Plan. The City will only enter the property to perform the required corrections if the public's health and public property are in imminent danger. In this situation, reasonable attempts will be made to contact the ~~property owner(s)~~ responsible party, but a written notice may not be required. The ~~property owner(s)~~ responsible party will be billed for City incurred expense.
- B. The Operations and Maintenance Agreement Plan shall provide that upon notification by the City of any violation, deficiency or failure to comply with the agreement or this Code, corrections shall be completed within ten (10) days after notice thereof. Thereafter the City may pursue legal action to enforce the provisions of the ~~agree-~~

~~ment~~Plan. In an emergency situation, the City may provide for all necessary work to place the facility in proper working conditions. The persons specified as responsible for maintenance in the Operations and Maintenance Agreement Plan shall be charged the costs of the work performed by the City or its agents.

CITY ACCEPTANCE OF NEW STORMWATER FACILITIES

- A. The City may accept for maintenance all or part of new residential stormwater facilities constructed under approved permits when the following conditions are met:
1. Improvements in the residential subdivisions or ~~Planned Unit Developments~~PUDs have been completed to the satisfaction of the ~~city~~City,

PRIVATE FACILITIES

- A. Private facilities must be placed in an easement or adjacent to, tract, or right-of-way that allows for the maintenance of these facilities in accordance with the Operations and Maintenance Agreement Plan.
- B. The City may determine that certain privately owned facilities are critical components of the overall stormwater system and will be described in the Operations and Maintenance Plan. In these situations, the City shall be granted perpetual, non-exclusive access that allows for ~~public~~City inspection. The access shall be defined in accordance with the requirements for a public easement, tract, or right-of-way.

There was a discussion about naming the document and where it should be inserted in Dunes City Code. It was agreed to change the name of Section 154 from “Vegetation Removal and Erosion Control” to “Vegetation Removal.” There was some discussion that the recently revised Erosion Control Code (currently Chapter 141) and the new Stormwater Management guidelines would be two subsections under Section 155.3.5 Surface Water Management.

There was discussion about where to include definitions and it was agreed that all definitions for all Sections would be included in the definitions section of Chapter 155.1. Staff will need to create definitions for “Responsible Party” and “Operations and Maintenance Plan.”

Following further discussion it was agreed that the new Erosion Control and Stormwater Management guidelines would be placed in Chapter 155 as Section 155.3.4.4 currently titled “Storm Drainage Improvements” and the title of the Section would be changed to “Surface Water Management.”

It was agreed that staff would make the changes discussed and bring a redline version back to the Planning Commission for final review. A meeting for review of the redline was scheduled for Monday, March 10th at 2:00 pm. City Administrator Hilden reminded Commissioners that the March 27th meeting of the Planning Commission would be at 6:00 pm to allow for public input on the draft amendments to the Master Road Plan.

10. NEW BUSINESS – None

11. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA – None

12. ADJOURNMENT

Commissioner Henderson made a motion to adjourn the meeting. Commissioner Beckman seconded the motion. The motion passed by unanimous vote.

Chairman Burke adjourned the Special Session of the Planning Commission at 4:40 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 10th OF MARCH 2014

[Signed copy available at City Hall]

George Burke, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Rapunzel Oberholtzer, Planning Secretary