



**PLANNING COMMISSION SPECIAL SESSION MINUTES ~ APPROVED**  
**MONDAY, MARCH 10, 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](http://www.dunescity.com).

**1. CALL TO ORDER**

The Special Session of the Planning Commission was called to order by Chairman George Burke at 2:04 pm.

**2. ROLL CALL**

Roll Call was taken by Chairman George Burke.

**Present:** Chairman George Burke, Vice Chairman Paul Gargis, Commissioner Ken Henderson, and Commissioner Darlene Beckman.

**Absent/Excused:** Commissioner Norman Martin and City Administrator/Recorder Fred Hilden.

**Others Present:** Planning Secretary Rapunzel Oberholtzer.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

**Commissioner Henderson made a motion to approve the Agenda. Vice Chairman Paul Gargis seconded the motion. The motion passed by unanimous vote.**

**5. APPROVAL OF THE CONSENT AGENDA**

**A. Planning Commission Special Session Meeting Minutes of February 11, 2014**

**Commissioner Henderson made a motion to approve the February 11, 2014 meeting minutes as presented. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.**

**B. Planning Commission Special Session Meeting Minutes of February 17, 2014**

**Commissioner Henderson made a motion to approve the February 17, 2014 meeting minutes as presented. Commissioner Beckman seconded the motion. The motion passed by unanimous vote.**

6. ANNOUNCEMENTS / CORRESPONDENCE – None

7. CITIZEN INPUT – None

8. PUBLIC HEARING – None

9. UNFINISHED / OLD BUSINESS

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

Chairman Burke directed the Commissioners’ attention to the February 17 redlined version of the draft Dunes City Stormwater Management document and requested that they take a few minutes to read it. Commissioners noted that there were discrepancies in the section numbering and requested that staff go through the document to make the necessary corrections.

Chairman Burke pointed out that the next step, after revising the numbering of the document, would be to send it to the City Attorney for legal review. There was a brief discussion about where the new document should be inserted into Chapter 155. It was agreed, as discussed in the February 17<sup>th</sup> meeting, that the document should be inserted under 155.3.4.4 along with the Erosion Control revisions. The entire section would be renamed Surface Water Management and Erosion Control and Stormwater Management would be subsections.

Commissioner Beckman noted that some of the language in the City Acceptance of New Stormwater Facilities section was not consistent with the rest of the language in other sections. Following discussion among the Commissioners and consideration, it was agreed to make the following changes:

***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~~ partitions, subdivisions, ~~or~~ PUDs, or commercial development have been completed to the satisfaction of the City,*

There were no further changes made to any of the content. Chairman Burke asked staff to submit the document to the City Attorney for review after the previously requested changes have been incorporated. Staff was also asked to send the old Chapter 141 (Erosion Control) to the City Attorney with instructions to insert Erosion Control and Stormwater Management in Chapter 155.3.4.4 (currently called “Storm Drainage Improvements), striking all of the existing Storm Drainage Improvements language currently in place and renaming the section “Surface Water Management.

Chairman Burke initiated a discussion about the various sections of Code that the Commission has reviewed and revised. He noted that Commissioners had not received a redlined version of Chapter 154 (Vegetation Removal and Maintenance) and requested that staff send it to each Commissioner.

Chairman Burke requested a motion to send the Stormwater Management section for legal review.

**Commissioner Beckman made the motion to send the Stormwater Management document to the City Attorney for review and return to the Planning Commission. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.**

Commissioner Henderson noted that the next regularly scheduled meeting of the Planning Commission was set for March 27<sup>th</sup>. Chairman Burke explained that the meeting would be a public hearing for citizen input on the amendments to the City's Master Road Plan. Chairman Burke went on to explain that the proposed new Master Road Plan had already been reviewed and approved by the Planning Commission. After hearing public comments the Planning Commission would consider changes suggested by the public, if any, and vote on whether or not to make a recommendation to send it on to the City Council for consideration.

Vice Chairman Gargis asked for clarification about how the terms "water-related" and "water-dependent" may have played a role in the denial of a Conditional Use Permit application by one of Dunes City's citizens, as referenced in the February 11<sup>th</sup> meeting minutes. Chairman Burke explained that the Planning Commission had reviewed the application for the CUP and determined that the permit would be for a structure that was neither water-related nor water-dependent, in addition to violating zoning criteria, and recommended denial of the application. When the City Council reviewed the application it did not feel comfortable using the undefined terms water-related and water-dependent as conditions for approving or denying the application, but denied it because of zoning criteria. Chairman Burke went on to explain that the City Planner was looking at the definitions for water-related and water-dependent that the City of Florence uses and would get back to the Planning Commission with his recommendations for definitions. After that, the Planning Commission could add those to the definitions in Chapter 155. There was some further discussion about the two terms, the state's definition for water-related and how Dunes City's definition needed to be crafted specifically to meet the City's needs.

Commissioners agreed that they did not need to schedule another Special Session until the Planning Commission had Chapter 155, or part of it, back from legal review.

**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 3:12 pm.

**APPROVED BY THE PLANNING COMMISSION ON THE 27<sup>th</sup> DAY 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