



**PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED**  
**THURSDAY, JUNE 26, 2014 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**

The June 26<sup>th</sup> Planning Commission meeting was called to order by Chairman George Burke at 5:02 pm.

**2. ROLL CALL**

Roll Call was taken by City Administrator/Recorder Fred Hilden.

**Present:** Chairman George Burke, Vice Chairman Paul Gargis, Commissioner Norman Martin, and Commissioner Ken Henderson.

**Absent/Excused:** Commissioner Darlene Beckman.

**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 Gargis seconded the motion. The motion passed by unanimous vote.**

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

**6. ANNOUNCEMENTS /CORRESPONDENCE**

**A. Puzzle Forest (Robertson) Partition Final Plat Application**

City Administrator/Recorder Hilden announced that he anticipates the City will receive the final plat application for Puzzle Forest the week of July 2 as well as sign off by the City Engineer on the inspections. If everything tracks on schedule, the Planning Commission can expect to see the application on its July meeting agenda for approval.

Chairman Burke noted that he will want to schedule a site visit by the Planning Commission after the City Engineer has completed his inspections and before the July meeting, if at all possible.

City Administrator/Recorder Hilden also announced that the City received feedback from Charlcie Kaylor, Building Department LLC (the Dunes City Building Official), after she reviewed the redline version of Chapter 151 that was prepared by the Planning Commission last fall. Chapter 151 is the Building Code and Fee section of Title XV. City Administrator/Recorder Hilden reported that Ms. Kaylor's feedback was very positive and encouraging, including her comment, "Kudos on having a right of entry provision and penalty for violation. You'd be surprised to know the City's that don't." Ms. Kaylor also provided a short list of comments that she would like to see incorporated into Chapter 151. City Administrator/Recorder Hilden will forward her comments and suggestions to the Commissioners.

City Administrator/Recorder Hilden noted that since Chapter 151 has now been reviewed and approved by the City's Building Official, his recommendation is that Chapter 151 be adopted with the new fee schedules. Chairman Burke suggested that discussion and final review of Chapter 151 should be added to the Agenda for the July 8<sup>th</sup> Special Session. During a short discussion that followed, Commissioners agreed to change the start time of the meeting on the 8<sup>th</sup> from 2:00 to 1:30 pm.

**7. CITIZEN INPUT – None**

**8. PUBLIC HEARING – None**

**9. UNFINISHED/OLD BUSINESS – None**

**10. NEW BUSINESS**

**A. Review City Council Instructions – Ordinance No. 203/CAC Appointment**

Chairman Burke directed the Commissioners' attention to their copies of an excerpt from the transcription of the City Council meeting of June 12<sup>th</sup> in which via a motion, seconded and unanimously voted upon, the Council directed the Planning Commission to convene a Citizen Advisory Committee (CAC) to review Ordinance No. 203 and make recommendations to the Planning Commission for changes, if any are agreed upon, in the language of the Ordinance. Chairman Burke proceeded to read aloud the Council motion.

*"Council President Mills made a motion that a re-examination and review of 203 be referred to the Planning Commission with instructions that they call a CAC under the terms and conditions that are allowable under State law and that they work with the City Recorder/City Manager to have whatever experts are necessary to do the job.*

*“Councilor Sanders commented that he was not sure he understood the motion and asked whether the motion was to direct the Planning Commission to convene a CAC to conduct a review of Ordinance 203. He would second the motion if that was correct.*

*“Council President Mills clarified that was the motion and noted that the motion should include for purposes of making a recommendation for language changes, if any.”*

Chairman Burke explained that the Council motion tasks the Planning Commission with appointing a CAC to review Ordinance No. 203 and come up with recommendations for changes to the language in the Ordinance. Chairman Burke went on to clarify that City Staff would provide support to the CAC. Once the CAC has provided its recommendations to the Planning Commission, the Planning Commission will act on those recommendations by reviewing Ordinance No. 203 and the CAC recommendations, and then provide its recommendations to the City Council.

There was some discussion about what would happen if there were no applicants for the CAC. City Administrator/Recorder Hilden explained that if that happened the Planning Commission would still be required to make recommendations about Ordinance No. 203 to the Council. He went on to note that Ordinance No. 203 is such a sensitive subject in Dunes City, there should be plenty of applicants for the CAC and, in fact, one person has already expressed interest in being on the CAC.

#### B. Review Dunes City Citizen Involvement Program Policy

Chairman Burke directed the Commissioners’ attention to their copies of the Dunes City Citizen Involvement Program Policy that was adopted by the City Council in January and outlines the process for the Planning Commission to appoint a CAC, the roles that the CAC and City Staff will have, and the responsibilities of the CAC. Chairman Burke pointed out that the CAC meetings are public and must, therefore, follow public meeting law requirements such as posting notices of meetings and keeping minutes.

Chairman Burke explained that the minutes, all of the CAC’s discussions of recommendations, and a list of the recommendations will be presented to the Planning Commission and then to the City Council. The public can attend the CAC meetings and speak, just like at the public meetings of the City Council or the Planning Commission. Ultimately, the CAC will make a formal recommendation, or recommendations, agreed upon by all of the CAC members to the Planning Commission.

There was a discussion about the “technical” information that would be provided to the CAC as referenced in the Citizen Involvement Program Policy. It was agreed that the CAC would receive copies of Ordinance No. 203 as well as copies of Ordinance Nos. 210A and 211A for reference, both of which were thoroughly reviewed by the Ordinance Review Committee and the Planning Commission. Staff will provide any additional information the CAC requests. Staff will also arrange for any experts that the CAC requests to attend meetings. City Administrator/Recorder Hilden explained that the City is re-

quired to provide the level of support necessary for the CAC to complete its task, but there is no budget for bringing in paid experts such as attorneys or consultants.

There was some discussion about the number of members that should be on the CAC. Chairman Burke suggested appointing a CAC consisting of five members and asked the Commissioners to think about a number.

Chairman Burke suggested that the CAC meet once a week for the next two months, giving them eight meetings to accomplish their task. Following that timeline, the CAC would have to have its recommendations submitted to City Hall a week before the September Planning Commission meeting, no later than the 18<sup>th</sup> of September. He noted that the CAC would be appointed during the July 24<sup>th</sup> Planning Commission, providing public notices could be posted in time for that meeting.

There was some discussion about Planning Commission action after the appointment of the CAC. Chairman Burke suggested that the Commission meet in Special Sessions regularly to review Ordinance Nos. 203, 210A and 211A so that the content is fresh in the minds of The Commissioners. It was agreed that after the Planning Commission receives the CAC recommendations, the Commission will need time to review those and come up with recommendations for the City Council. Chairman Burke also noted that part of the presentation to the City Council will be the Ordinance(s) that would replace Ordinance No. 203. City Administrator/Recorder Hilden pointed out that DLCD requires a forty-five day notice of evidentiary hearings on land use decisions. There was some discussion about the DLCD requirements and scheduling with consensus that the timeline will extend well into the fall and winter.

Chairman Burke asked if there was a consensus about the number of members for the CAC and the suggested timeline. Commissioners all agreed that five members should be adequate, that CAC meetings should be held weekly and that the CAC's deadline for submitting recommendations would be September 18<sup>th</sup>, or sooner.

#### C. Deliberation and Decision on Dates for Action/Public Notice

Commissioners reviewed the draft Public Notice announcing the Planning Commission's intent to appoint a Citizen Advisory Committee at its regular meeting on July 24<sup>th</sup>.

Chairman Burke suggested adding language limiting the number of members on the CAC to five and noting that the appointees would be selected from applications received by City Hall. Commissioners agreed, noting that concerned citizens could attend the CAC meetings to provide input to the CAC.

City Administrator/Recorder suggested that Commissioners decide whether the Planning Commission or the CAC would appoint a chairperson of the CAC. After a short discussion, it was agreed that the CAC members would be instructed to appoint a Chairperson.

Commissioners agreed that they hoped there would be a good number of applicants for the CAC.

City Administrator/Recorder Hilden suggested that the City Attorney review the amended draft Public Notice prior to submitting it for publication. He noted that there was still time to push the publication date out and still meet the required notice time period. Commissioners agreed.

City Administrator/Recorder Hilden read aloud the Public Notice with the suggested amendment limiting the number of CAC members to five. Commissioner Henderson pointed out that the Notice should be further amended to clarify that Ordinance No. 203 is Septic-related. Everyone agreed to add that clarification.

After further discussion, City Staff was instructed to have the draft Citizen Advisory Committee Procedures, Responsibilities and Expectation document ready for the July 24<sup>th</sup> meeting, along with the Ordinances previously discussed.

**11. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA – None**

**12. ADJOURNMENT**

**Commissioner Henderson made a motion to adjourn the meeting. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.**

Chairman Burke adjourned the Planning Commission meeting at 6:10 pm.

**APPROVED BY THE PLANNING COMMISSION ON THE 8<sup>th</sup> DAY OF JULY 2014.**

[Signed copy available at City Hall]

George Burke, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Rapunzel Oberholtzer, Planning Secretary