



PLANNING COMMISSION SPECIAL SESSION MINUTES ~ APPROVED
TUESDAY, AUGUST 12, 2014 AT 9:00 AM
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 August 12th Planning Commission Special Session was called to order by Chairman George Burke at 9:14 am.

2. ROLL CALL

Roll Call was taken by Planning Secretary Rapunzel Oberholtzer.

Present: Chairman George Burke, Vice Chairman Paul Gargis, Commissioner Norman Martin, and Commissioner Ken Henderson. (There is one vacancy.)

Others Present: Planning Secretary Rapunzel Oberholtzer. City Administrator/Recorder Fred Hilden joined the meeting at about 9:40 am.

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

Chairman Burke requested approval of each Consent Agenda item separately.

A. Planning Commission Regular Session Meeting Minutes of July 24, 2014

Commissioner Henderson made a motion to approve the July 24th meeting minutes as submitted. Vice Chairman Gargis seconded the motion. The motion passed by unanimous vote.

B. Planning Commission Special Session Meeting Minutes of July 29, 2014

Planning Secretary Rapunzel requested clarification of an item on Page 8 of the minutes referring to Chapter 155, page 146, item G (Utilities). The clarification was whether or not the word “public” should be included in the sentence, “All lots created through land division will have public utilities and facilities.” Commissioners agreed that the word should be deleted.

Vice Chairman Gargis made a motion to approve the July 29th meeting minutes as amended. Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS /CORRESPONDENCE

City Administrator/Recorder Hilden announced that the City has several openings on Committees and Commissions. There is one opening on the Planning Commission, one Road Commission opening, three Budget Committee openings, and one Parks and Recreation Committee opening. He suggested that Commissioners encourage anyone they know who might be willing to volunteer to fill out an application.

7. UNFINISHED/OLD BUSINESS

A. Continue Review of Attorney’s Edits/Comments on Chapter 155

Chairman Burke directed the Commissioners’ attention to Chapter 155, page 147, to begin their review of the City Attorney’s comments.

Page 147: Comments 205 and 206: Re Partition Approval Criteria, following discussion of partitions, subdivisions and PUDs, it was agreed to add under the first paragraph “Partition: three lots or less. Subdivisions: four lots or more.”

Comment 207: Staff was asked to verify the Division/Section numbers.

Comment 208: Commissioners agreed with the attorney’s changes.

Comment 209: Re submission requirements, Commissioners agreed to delete the entire sentence, “Specific information about the format and size of the plat, number of copies and other detailed information can be obtained from the Planning Official.”

Page 148: Comment 210: Commissioners agreed to the attorney’s deletion of item 7 re applicable code.

Page: 150: Comment 211: Commissioners agreed no action was necessary—Type II is the correct procedure and individual applications can be reviewed with the attorney as they are submitted.

Comments 212 and 213: Commissioners agreed to ask the attorney to provide a model that will address her concerns.

- Page 151: Comment 214: Commissioners agreed that no changes were necessary since the Commission visits the site and reviews a site plan.
- Page 152: Comments 215 through 217: Commissioners agreed that the attorney needs to provide further explanation.
- Page 153: Comment 218: Commissioners agreed to change item C(1) to read, “No action has been taken to utilize the permit within two years of the date of approval.”
Comment 219: Commissioners agreed to change item C (Revocation) to read, “A conditional use permit is revoked if:”
- Page 154: Comments 220 through 223: Commissioners agreed with the changes made by the attorney and no further action was necessary.
- Page 156: Comment 224: Staff agreed to ask the attorney to clarify her intention, is it to insert the actual Section numbers?
Comment 225: Commissioners agreed that the attorney seems to have made all of the necessary revisions but asked Staff to verify that PUD content is included in the new language created by the attorney.
- Page 157: Comment 228: Commissioners agreed that no action was necessary.
- Pages 159-166 Comments 231 through 244: Commissioners agreed that Staff and Chairman Burke would review the attorney’s changes, comments and questions via conference call with attorney in the future and clarify her revisions.
- Page 166: Comment 245: In paragraph A(1)(c) Commissioners agreed to delete “of the district” from the first sentence.
Comment 246: Commissioners agreed to delete entirely the final sentence of paragraph A(1)(c), “The documents ... by the City Attorney.”
Comment 247: No action was necessary.
Comment 248: Commissioners agreed with the attorney’s changes and recommendation not to include timelines in paragraph B.
- Page 167: Comment 249: Commissioners agreed with the attorney’s rearrangement of text.
Comment 250: Commissioners agreed with the attorney’s text revisions.
Comment 251: Commissioners agreed with the attorney’s text revisions.
Comment 252: Commissioners agreed with the attorney’s text revisions.
- Page 168: Comment 253: Commissioners agreed with the attorney’s change.

Comment 254: Commissioners agreed that Staff would research Dunes City's Chapter 36 to make sure PUD application revocation enforcement is covered in there. If so, it may be possible to replace lead paragraph of 155.4.5.119 with "See Chapter 36." Staff is also to confirm that is OK with the attorney.

Comment 255: No action was required.

Comment 256: Commissioners agreed to keep paragraph A's first and last sentences, "Qualified professionals shall work as a team as required for the planning, development and construction of a P.U.D. The composition of the applicant's design team shall include, but not be limited to, a qualified architect, a landscape architect and an engineer or land surveyor, licensed by the State."

Comment 257: Commissioners agreed to keep all of paragraph B.

Page 169: Comment 258: There was some discussion about the attorney's suggestion for deleting "and Lot Line Adjustments" from 155.4.6.2 (A)(1). Commissioners agreed to leave the phrase in as it is sometimes necessary to modify a lot line through an easy process. Staff will talk to the attorney about her recommendation.

Comment 259: No action was required.

Comment 260: Commissioners agreed with the attorney's change.

Page 170: Comment 261 and 262: There was some discussion about including "minor" and "major" descriptions and the reason for the attorney deleting them (they are discretionary terms). Commissioners agreed to deleting them and abiding by the changes recommended by the attorney.

Chairman Burke called for a break at 10:40 am and resumed the meeting at 10:50 am to resume review of Chapter 155 on page 171.

Page 171: Comment 263: Following discussion of the types of zone changes that might be feasible in the City, Commissioners agreed to insert the language from 155.4.4.4 Use Criteria paragraph A(1-7) for now.

Comment 264: Commissioners agreed with the attorney's suggestion to delete all of existing 155.4.8 Code Interpretation.

Comment 265: "Section" question from the attorney is no longer relevant.

Page 172: Comment 266: There was some discussion about the attorney's suggestion to provide criteria for code amendments, a new section added by the attorney. Staff was asked to confirm with attorney that the text she provided is the text she recommends.

Comment 267: Commissioners agreed to accept the changes made by the attorney.

Comment 268: No action was required.

- Page 173: Comment 269: Commissioners agreed to accept the attorney’s deletion of “is permitted in the underlying land use district and” from 155.4.9.1 Temporary Use Permits (A)(1).
Comment 270: Commissions agreed to change paragraph B reference to “Type II Procedure” to a “Type I Procedure” and make the same change in paragraph C.
- Page 174: Comment 271: Following discussion, Commissioners agreed with the attorney’s suggestion to delete “...and be conducted in such a manner as not to give an outward appearance of a business” from 155.4.9.2 Home Occupation Permit paragraph A(1). The deletion would make the standard more clear and objective as required in a Type I procedure.
- Page 175: Comment 272: Commissioners agreed to accept the attorney’s change re signage standards.
Comment 273: Following discussion, Commissioners agreed with the attorney’s suggestion to delete “...beyond allowable levels as determined by local, state or federal standards, or” from 155.4.9.2 Home Occupation Permit paragraph G(1). The deletion would make the standard more clear and objective as required in a Type I procedure.
- Page 176: Comment 274: Staff was asked to follow the standards already set for “this Section.”
Comment 275: Staff was asked to look at Chapter 36 to determine whether or not it would be appropriate to add “See Chapter 36 Code Enforcement” relevant language.
Comment 276: Commissioners agreed with the attorney’s suggestion to delete all of 155.4.9.3 Concept Assistance.
Comment 277: Commissioners agreed with the attorney’s deletion of reference to Manufactured Home Parks.
Comment 278: Commissioners agreed that no action was necessary; the attorney made the required changes.

This fourth session to review Chapter 155 ended with the completion of page 176.

8. NEW BUSINESS – None

9. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Commissioners agreed to meet again in Special Session on Tuesday, August 26th at 2:00 pm to continue review of Chapter 155.

10. ADJOURNMENT

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

Chairman Burke adjourned the Planning Commission Special Session 11:52 am.

APPROVED BY THE PLANNING COMMISSION ON THE 26th DAY OF AUGUST 2014.

[Signed copy available at City Hall]

George Burke, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Rapunzel Oberholtzer, Planning Secretary