



**PLANNING COMMISSION SPECIAL SESSION MINUTES ~ DRAFT**  
**THURSDAY, NOVEMBER 30, 2017 AT 5:45 PM**  
City Hall ~ 82877 Spruce St., Westlake, OR 97493

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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**

Chairman Bonnie Allen called the November 30 Planning Commission Special Session to order at 5:57 pm.

**2. ROLL CALL**

Roll Call was taken by Administrative Assistant Rapunzel Oberholtzer.

**Present:** Chairman Bonnie Allen, Vice Chairman Barry Sommer, and Commissioners Brett McKnight, Ken Pesnell, and Ric Ziegler.

**Absent and Excused:** City Administrator/Recorder Jamie Mills.

**Others Present:** Several residents and CAC applicants Christopher John and Richard Koehler.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

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

**5. APPROVAL OF THE CONSENT AGENDA**

A. Planning Commission Special Session Meeting Minutes of October 31, 2017

**Commissioner Pesnell made a motion to approve the Consent Agenda. The motion was seconded by Vice Chairman Sommer. The motion passed by unanimous vote.**

**6. ANNOUNCEMENTS /CORRESPONDENCE**

Chairman Allen read aloud the announcements on the Agenda.

- A. Dunes City has a new Permit Technician, Debbie Larson.
- B. City Administrator/Recorder Mills is working on a draft Ordinance to address marijuana- and hemp-related business licensing within Dunes City's jurisdiction.
- C. Commissioners Allen and Ziegler need to apply for reappointment to the Planning Commission in January. Their terms are expiring.

## 7. CITIZEN INPUT

Chairman Allen recognized Ms. Mary Jo Leach, a Dunes City resident, who reminded everyone that during the October meeting Mr. John Stead advised Commissioners that all LUCSs have to be reviewed by the Planning Commission, according to Dunes City's Chapter 32, and LUCSs have always been reviewed by the Planning Commission until recently. Ms. Leach went on to explain that an application for a conditional use permit is reviewed first by the Planning Commission and, if the CUP is denied, the Commission's decision can be appealed to the City Council—the City Council doesn't rule on CUPs. (Staff noted that CUPs are ruled upon by the Planning Commission and then the City Council.)

Ms. Leach referred to copies of City Staff job descriptions, noting that in the October meeting a discussion between Commissioners and City Administrator/Recorder Mills seemed to indicate that the Commissioners did not want to review all LUCSs, leaving that task to the City's Permit Tech. Reading from the job description for Planning Secretary, Ms. Leach pointed out that the functions provided by the Planning Secretary include: coordinating land use applications for citizens; providing technical assistance to citizens, the Planning Commission and City Council in the processing of land use applications; reviewing land use applications for completeness; and gathering background information and coordinating review of the application with interested parties. Reading from the job description for the Permit Technician, Ms. Leach pointed out that duties of the Permit Tech include: reviewing land use applications for completeness; gathering background information and coordinating review of the application with interested parties; and providing technical assistance to citizens, the Planning Commission and City Council in processing of land use applications. Ms. Leach pointed out that the job descriptions clearly indicate that the Planning Commission is responsible for reviewing land use applications, not City Staff.

Ms. Leach went on to point out that in the October meeting she expressed concerns about the Smith's OLCC application. Ms. Leach's three minute time limit for addressing the Commission expired.

*A COPY OF THE JOB DESCRIPTIONS TO WHICH MS. LEACH REFERRED AND HER EMAIL TO THE WATERMASTER ARE ON FILE AT CITY HALL.*

## 8. NEW BUSINESS

### A. CAC Appointments

Chairman Allen invited Mr. Richard Koehler, a CAC applicant present in the audience, to introduce himself. Mr. Koehler explained that he was involved with the City for about seven years in the past, and is interested in how citizens can get involved in their community outside of the City Council and the Commissions. He went on to explain that he is interested in words and how words influence decisions, which is why he is interested in reviewing proposed changes to City Code.

Chairman Allen invited Mr. Christopher John, the other CAC applicant who was present in the audience, to introduce himself. Mr. John explained that he has lived in Dunes City for about ten years, but has owned his property for about twenty years. He went on to explain that he used to be involved with the water quality committee and the road commission and wants to be involved in providing citizen input that the City has requested.

**Commissioner Pesnell made a motion to accept both applicants to the CAC. The motion was seconded by Commissioner McKnight. The motion passed with a unanimous vote.**

### B. CAC 11/30/2017 Recommendations to PC re 155.2.1 (R-1)

Chairman Allen referred Commissioners to copies of Staff's notes on the proposed changes to 155.2.1.110 agreed upon by the CAC in its meeting on this date. Staff read aloud the proposed language.

There was some discussion about whether or not to include medical marijuana growers in the requirement to obtain a conditional use permit and the number of marijuana plants allowed per grow operation. Staff noted that proposed changes to 155.2.1.110 with regard to marijuana would need to be reviewed by the City Attorney.

Following discussion, Commissioner Pesnell suggested changing, "Commercial recreational and medical marijuana production operations of more than four (4) or more plants are subject to a conditional use permit..." to "Any marijuana production consisting of five (5) or more plants requires a conditional use permit..." Commissioners agreed.

Discussing the definition for "marijuana" suggested by Staff, Commissioners agreed with the suggested definition for marijuana. Discussing the language suggested by Staff to be used in listing processing as a conditional use, Commissioners agreed that the language would be, "Any marijuana production consisting of five (5) or more plants."

**Commissioner McKnight made a motion to approve the language as amended and direct City Staff to submit the proposed language to the City Attorney for review. The motion was seconded by Commissioner Pesnell. The motion passed by unanimous vote.**

C. Staff Report: Follow Up from October Meeting

As requested during the October Planning Commission, Staff presented suggested language to be added to Section 155.4.4.3 (Application Submission Requirements) relevant to multifamily housing as a new paragraph G.

*In addition to the application submission requirements of Subsections A through F above, if a conditional use permit application is for multifamily housing, the application must include a detailed, written maintenance plan that clearly describes how any common or open space areas (e.g., landscaping private tracts, common driveways, private alleys, building exteriors, and/or similar common areas) shall be maintained. The maintenance plan must describe regular and uniform upkeep of landscaping as well as routine inspection, repair, and replacement as necessary of all common lighting fixtures, fire suppression systems, safety controls, and other community systems that serve residents. The maintenance plan must also describe when maintenance activities will be implemented and how they will be funded on an ongoing basis. The purpose of this requirement is to provide for additional review to encourage development that is healthy, safe and compatible with the surrounding neighborhood.*

Commissioners agreed to accept the language as presented.

D. Schedule December Meeting

Commissioners agreed to meet on December 28 for its regularly scheduled meeting beginning at 5:00 pm.

**9. UNFINISHED/OLD BUSINESS**

A. Continue Review of Chapter 155.4

Staff did not have a report prepared. Discussion was tabled.

**10. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA**

There were none.

## 11. ADJOURNMENT

**Vice Chairman Sommer made a motion to adjourn. Commissioner McKnight seconded the motion. There was no vote taken.**

Chairman Allen adjourned the meeting at 6:35 pm.

**APPROVED BY THE PLANNING COMMISSION ON THE 28<sup>th</sup> DAY OF DECEMBER 2017.**

[Signed copy available at City Hall]

Bonnie Allen, Chairman

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder