



PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED
THURSDAY, JANUARY 25, 2018 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.

1. CALL TO ORDER

Commissioner, former Chairman, Bonnie Allen called the January 25 Planning Commission meeting to order at 5:00 pm.

2. OATH OF OFFICE

City Administrator/Recorder Jamie Mills administered to the Oath of Office to newly reappointed Commissioners Bonnie Allen and Ric Ziegler.

3. ROLL CALL

Roll Call was taken by Administrative Assistant Rapunzel Oberholtzer.

Present: Commissioner Bonnie Allen, Commissioner Barry Sommer, Commissioner Brett McKnight, and Commissioner Ric Ziegler.

Absent and Excused: Commissioner Ken Pesnell.

4. ELECT CHAIRMAN AND VICE CHAIRMAN

Commissioner Ziegler made a motion to nominate Commissioner Allen to continue as Chairman. The motion was seconded by Commissioner McKnight. The motion passed by unanimous vote.

Commissioner McKnight made a motion to nominate Commissioner Sommer to continue as Vice Chairman. Commissioner Ziegler seconded the motion. The motion passed by unanimous vote.

5. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

6. APPROVAL OF THE AGENDA

Vice Chairman Sommer made a motion approve the Agenda. The motion was seconded by Commissioner Ziegler. The motion passed by unanimous vote.

7. APPROVAL OF THE CONSENT AGENDA

A. Planning Commission Meeting Minutes of December 28, 2017

Commissioner Pesnell made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Ziegler. The motion passed by unanimous vote.

8. ANNOUNCEMENTS /CORRESPONDENCE

Chairman Allen referred Commissioners to copies of a January 16, 2018, email regarding E-permitting from Catherine Caudle that was in their meeting packets. Rapunzel referred Commissioners to copies of a December 21, 2017, email regarding public meeting law from Ms. Caudle that was distributed prior to the start of the meeting and a copy of a December 30, 2017, email from John Stead regarding Chapter 155 that was also distributed prior to the start of the meeting. Chairman Allen suggested that Commissioners read the emails and determine later whether any should be included on the agenda at a future meeting.

COPIES OF MS. CAUDLE'S EMAILS ARE ON FILE AT CITY HALL. A COPY OF MR. STEAD'S EMAIL AND ITS ATTACHMENTS ARE ON FILE AT CITY HALL.

9. CITIZEN INPUT

Chairman Allen recognized Mr. Aaron Bowen, a Dunes City resident, who expressed some concern about the City's recent decision to enter into an agreement with South Coast Water District to provide water from Woahink Lake to its customers. He explained that his concern is that SCWD is a for-profit company based in Eugene drawing water from Woahink under Dunes City's shared domestic water right and possibly using an amount of water that would lower the level of the lake. He went on to suggest that drawing surface water from the lake is an antiquated method of supplying water and perhaps the company should consider investing in a good well instead. He noted that the environment of Dunes City is delicate and the City should be careful to consider environmental impacts when making such large policy decisions.

Commissioner McKnight pointed out that the City Council made the decision to approve the agreement with SCWD and City Administrator/Recorder Mills noted that there are already several commercial entities drawing water from Woahink Lake and have been for years.

10. NEW BUSINESS

A. Set Goals for 2018

Chairman Allen noted that one of the Commission's goals could be to agendize some of the citizen input that has been presented to the Commission. She volunteered to review the minutes and notes from last year's meetings and make a list of topics to consider. Staff pointed out that Catherine Caudle submitted a list of suggestions for goals, which was distributed prior to the start of the meeting.

During discussion, other goals were suggested:

- Review Planning Commission procedures,
- Consider rules for marijuana producing and processing in Dunes City, based on the possible outcomes of the general election in November and the pending LUBA appeal,
- Review of erosion and sediment control rules to make sure existing rules are adequate, and
- Review water right, water quality and usage policies.

Referring to Ms. Caudle's suggested list of goals, Commissioner McKnight explained that the CAC made a recommendation to the Planning Commission to remove agriculture from the list of permitted uses in the R-1 zone and add it to the list of conditional uses.

Chairman Allen referred Commissioners to copies of the April 2017 meeting minutes about goals. She suggested that the Commission discontinue the online training and that the Commission as a group develop working expertise in land use code. Regarding last year's suggestion to find a way to ensure properties meet Code when they exchange ownership, City Administrator/Recorder Mills reported that the City has implemented office procedures to do that. Chairman Allen suggested that another goal could be to monitor citizen input. City Administrator/Recorder Mills pointed out that the Council goals are broad topics with subsections, such as "Good Governance" as a goal with subsections such as "Finalize Title XV" and "Update the Comprehensive Plan."

There was some discussion about how to address citizen input. It was generally agreed to track comments and, if determined to be warranted, Commissioners would request Staff to create agenda items for discussion.

B. Review City Attorney Comments Re: 155.2.1 Code Changes

Staff directed Commissioners to copies of a confidential email from the City Attorney about changes to R-1 Code to address marijuana growing and processing. It was noted that the City Attorney expressed concern about the proposed language.

Chairman Allen called for a short break in the meeting at 5:50 pm and reconvened at 5:53 pm.

Following discussion of the City Attorney's comments and the language proposed, it was generally agreed that marijuana production of five (5) or more plants should be a conditional use in the R-1 zone, marijuana processing should be prohibited entirely or a conditional use in the Community Commercial zone, and agriculture should be a conditional use in the R-1 zone. The Commissioners directed Staff to rewrite the language and bring revisions back to the Commission in February.

City Administrator/Recorder Mills suggested that the City could develop a list of standards to consider when deliberating on a Conditional Use Permit for growing marijuana.

11. UNFINISHED/OLD BUSINESS

A. Continue Review of Chapter 155.4

Moving on to discussion about the Staff Report and changes on page 77 of 90, Staff noted that in the December 2017 meeting, the Commission agreed to delete the reserved sections Concept Assistance and Manufactured Home Parks and to renumber the list of sections accordingly.

Staff went on to point out that Staff had not had the time to draft new language to address temporary occupancy of RVs and motor homes, but will work on that for February.

There was some discussion about 155.4.9.1 (Temporary Use Permits), beginning on page 77 of 90, during which Staff pointed out that the City Attorney made the changes in paragraph A but noted that, in her opinion, some of the standards were not clear and objective enough to be processed using the Type I process. There was further discussion about the Temporary Use Permits and whether or not there was a real need in Code for seasonal and special events. Commissioners asked Staff to work on clarifying the TUP language to address the City Attorney's concerns and, perhaps, find a definition for Temporary Use.

Following further discussion, it was generally agreed that if this language is to remain in Code there should be clear definitions of Temporary Use and Special Events. Staff will work on definitions and/or clarifications. Discussion about Temporary Buildings ensued. It was generally agreed that Staff would bring draft language back to the Commission, including language to address temporary occupancy of RVs and motor homes in the R-1 zone.

Chairman Allen suggested tabling discussion about Home Occupation Permits until the February meeting. There were no objections.

12. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Commissioner McKnight tendered his resignation, noting that his personal time commitments do not allow him the time he would like to dedicate to the Planning Commission and the Citizens Advisory Committee. Chairman Allen thanked him for his leadership and guidance. Commissioner McKnight suggested that Commissioner Ziegler act as interim Chairman to open the CAC meeting in February. Commissioner Ziegler agreed.

City Administrator/Recorder Mills reported that she had been asked by both the City Council to consult with the City Attorney about how to deal with the volume of emails and information Councilors, Staff, and Commissioners have been receiving from one of Dunes City's residents. She reported that the City Attorney suggested that recipients email the resident to inform her that they intend to block her email and advise her to send her emails to the City Recorder, one contact at City Hall. She noted that if the resident specifically requests that her

emails be distributed to the Planning Commission or the City Council, she would have to do so.

City Administrator/Recorder Mills went on to report that there is a bill pending in the State Legislature that mandates that cities allow accessory buildings as dwelling units. It is not yet known whether the mandate applies to small cities or to any city. Staff will continue to monitor the bill's progress and rules.

11. ADJOURNMENT

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

Chairman Allen adjourned the meeting at 6:50 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 29TH DAY OF MARCH 2018.

[Signed copy available at City Hall]

Bonnie Allen, Chairman

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder