



PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED
THURSDAY, MARCH 29, 2018 AT 5:30 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

Chairman Bonnie Allen called the March 29, 2018, Planning Commission meeting to order at 5:32 pm.

2. ROLL CALL

Roll Call was taken by Administrative Assistant Rapunzel Oberholtzer.

Present: Chairman Bonnie Allen, Vice Chairman Barry Sommer, and Commissioners Ken Pesnell and Ric Ziegler. There is one vacancy on the Commission

Also present was City Administrator/Recorder Jamie Mills and CAC applicant John Stead.

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 approve the Agenda. The motion was seconded by Commissioner Pesnell. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

A. Planning Commission Meeting Minutes of January 25, 2018

Commissioner Ziegler 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

A. The 6th Annual Oregon Dunes Triathlon will be held Saturday, May 12, in Dunes City. The City needs volunteers to staff the race courses.

B. Dunes City is looking for someone with a motorized boat to help set up the swim course!

7. CITIZEN INPUT

There was none.

8. NEW BUSINESS

A. Review Draft Marijuana CUP Ordinance

Chairman Allen referred Commissioners to their copies of the draft ordinance requiring marijuana businesses in Dunes City to apply for a Conditional Use Permit that was included in their meeting packets. There was no discussion or suggestions for changing the draft language. City Administrator/Recorder Mills described the process for public hearings and adoption of the proposed ordinance.

Commissioner Ziegler made a motion to send the draft marijuana ordinance amending 155.2.1 and 155.2.2 to Staff to prepare for public hearings. The motion was seconded by Vice Chairman Sommer. The motion passed by unanimous vote.

B. Re: Goal Setting – Review of All LUCS Apps/Update

City Administrator/Recorder Mills explained that the City Council determined that the City Administrator was authorized to approve all LUCSs, except for an OLCC LUCS. Chairman Bonnie Allen pointed out that the Council's decision about LUCSs, the ballot referendum and the proposed marijuana/CUP ordinance should adequately address most of the citizen concerns about marijuana expressed during the past year, and she noted that citizen input to the Planning Commission was mostly about marijuana.

Chairman Allen went on to note that the City Council had, as a body, expressed concern about how long it was taking to revise Chapter 155. She suggested that the Commission's first goal could be to develop, as a group, expertise in land use, the second goal could be to make progress in revising Chapter 155, and the third goal could be to respond to citizen input as feasible.

There was some discussion about Planning Commission procedures and training. It was generally agreed by all not to continue with the DLCD online training, and use that time instead to work on Chapter 155.

Chairman Allen requested that every three months Staff provide Planning Commissioners with a report about citizen input that has been received so that the Commissioners can decide whether or not to respond and how to do so. She noted that this action would also help the Commissioners monitor the Citizen Involvement Program.

C. Appointment to CAC (Citizens Advisory Committee)

Chairman Allen referred Commissioners to a copy of an application from Mr. John Stead. She noted that she had worked with Mr. Stead on water-related matters and would recommend him as a CAC member.

Commissioner Pesnell made a motion to accept John Stead as a member of the CAC for the Planning Commission. Commissioner Ziegler seconded the motion. The motion passed by unanimous vote.

9. UNFINISHED/OLD BUSINESS

A. Set Goals for 2018

There was no discussion other than in 8(B) above.

B. Continue Review of Chapter 155.4.9

Staff presented a four-page document containing revised language for Section 155.4.9.1 (Temporary Use Permits), and explained the revisions were intended to clarify what constituted a temporary use and what restrictions were applicable to temporary uses. Staff pointed out a recommendation to process Seasonal and Special Event permits, Temporary Sales Office or Model Home permits, and Temporary Portable Building permits as a Type II process requiring a hearing at the Planning Commission, rather than a Type I process.

There was some discussion about whether or not processing temporary use permit applications as a Type II decision would unreasonably delay the application process. It was generally agreed that, if necessary, the Planning Commission could meet in Special Session to hold a hearing on an application. During discussion, Staff clarified that proposed new language for a Type II process included the provision to provide notice to owners of record of real property within three hundred (300) feet of the temporary use site.

There was some discussion about the length of time a temporary use permit should be valid. After discussion, Commissioners agreed to add the following language to 155.4.9.1, "Duration of a temporary use permit shall not exceed twelve (12) months." It was further agreed to change 155.4.9.1(C)(10) as follows, "~~The length of time that the temporary building will be used does not exceed twelve months.~~ When a temporary portable building ~~exceeds this time frame~~permit expires, the applicant shall be required to remove the building, or ~~renew the~~obtain a new temporary use permit."

Commissioners agreed to accept Staff's recommended changes to 155.4.9.1(C)(4) and (7) and to accept Staff's recommended revisions throughout 155.4.9.1. *A COPY OF THE FOUR-PAGE DOCUMENT WITH RECOMMENDED REVISIONS IS ON FILE AT CITY HALL.*

Staff referred Commissioners to a copy of Staff's proposed new text relating to temporary occupancy of motor homes and travel trailers, and explained that the text was created to address the question of whether or not these vehicles parked on residential properties with occupied homes could also be occupied and, if so, what restrictions, if any, should be imposed. Commissioners agreed to review the language before the April meeting and discuss the proposed language in April. There was some concern about the possibility that property owners could remove wheels from the vehicles in an attempt to circumvent definitions of motor homes and travel trailers. Staff agreed to look into definitions and other Code that might be applicable and report back in April.

10. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Commissioners agreed to meet in Special Session after the CAC meeting on April 23, beginning at about 5:45, and to cancel the regularly scheduled meeting on April 26.

City Administrator/Recorder Mills reported that the Oregon Department of Justice issued an opinion essentially stating that Oregon cities that contract out their Building Inspection Program are violating State Constitution. As a result, she explained, it appears that the Building Codes Division plans to reject cities' renewed Building Inspection Program proposals, forcing cities go through State- or County-operated inspection and permitting programs. She went on to explain that if this happens, cities would not know what permits are being issued and would likely have no input into verifying that building plans meet local land use setbacks, erosion controls, tree removal guidelines, etc. Cities may be required to have on Staff a Building Official and may be required to hire a Building Inspector and an Electrical Inspector. She went on to explain that Dunes City is required to submit its Building Inspection Program proposal by June 1 and that as part of that process she is working with DLCD and Northwest Code Professionals to take Dunes City's building regulations out of Title XV and move them to a new Title XVI where changes will be easier to make.

11. ADJOURNMENT

Vice Chairman Sommer made a motion to adjourn. Commissioner Pesnell seconded the motion.

Chairman Allen adjourned the meeting at 6:55 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 23rd DAY OF APRIL 2018.

[Signed copy available at City Hall]

Bonnie Allen, Chairman

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder