



PLANNING COMMISSION REGULAR SESSION MINUTES ~ APPROVED
THURSDAY, AUGUST 27, 2020 AT 6:00 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

Chair Bonnie Allen called the August 27, 2020, Planning Commission meeting to order at 6:00 pm.

2. NEW COMMISSIONER OATH OF OFFICE

City Administrator/Recorder Jamie Mills administered the oath of office to newly appointed Commissioner Wanda Phillips.

3. ROLL CALL

Roll Call was taken by Administrative Assistant Rapunzel Oberholtzer.

Present: Chair Bonnie Allen, Vice Chair Ken Pesnell, and Commissioners Jamie Gorder, Barry Sommer and Wanda Phillips.

Also Present: CUP applicants, Dorothy Corroll-Moors and Greg Welton.

4. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

5. APPROVAL OF THE AGENDA

Commissioner Gorder made a motion approve the Agenda. The motion was seconded by Commissioner Phillips and passed by unanimous vote.

6. APPROVAL OF THE CONSENT AGENDA

A. Planning Commission Meeting Minutes of July 30, 2020

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

7. ANNOUNCEMENTS /CORRESPONDENCE

Chair Allen read from the list of announcements on the Agenda:

- A. If you have not already done so, please take the 2020 Census Survey. It is easy and takes just a few minutes. Call 844-330-2020 to complete the survey by telephone, or visit **my2020census.gov** for the online version.
- B. The September 23 City Council meeting will include a public hearing on the CUP application submitted by Greg Welton and Dorothy Corroll-Moors. The meeting will also include discussion and consideration of a petition to vacate a portion of Helkat Trail.

City Administrator/Recorder Mills announced that on September 9 the City will host a GoToMeeting town hall discussion about short-term rentals beginning at 5:00 pm. She also announced that on September 14 the City will host a group discussion about ideas for additional City revenue at Darlings Marina and Resort beginning at 5:00 pm. Interested citizens are encouraged to participate.

8. CITIZEN INPUT

There was none.

9. PUBLIC HEARING

Chair Allen read aloud from a written script prepared for the public hearing, “This evening we have a public hearing on a request for a Conditional Use Permit to build a guest house on a Dunes City lot with an existing residence. These proceedings will be recorded.”

“This hearing will be held in accordance with the land use procedures required by the City and the State of Oregon. This is a Type III Quasi-Judicial Procedure.

“Staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision.

“All testimony and evidence must be directed toward these criteria or other criteria which you believe apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the City and parties involved an opportunity to respond to the issue would preclude an appeal to the Oregon Land Use Appeals Board based on that issue.

“Any party interested in a land use matter may challenge the qualification of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner’s bias, prejudgment, conflict of interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.”

Chair Allen asked if any Commissioner wished to declare a conflict of interest, bias or ex-parte contact. None did.

Chair Allen asked if any member of the public wished to challenge a Commissioner's impartiality. None did.

Chair Allen opened the public hear for the Conditional Use Permit at 6:11 pm. She suggested that rather than having Staff review the staff report Commissioners could take turns reading the report and discussing each of the applicable criteria and findings. No one objected.

THE COMPLETE STAFF REPORT AND FINDINGS OF FACT WITH EXHIBITS IS ON FILE AT CITY HALL.

Commissioners proceeded to take turns reading aloud the Introduction, Applicable Criteria and Review of Applicable Criteria. After 155.4.4.2 (Approvals Process) was read, Chair Allen asked Mrs. Corroll-Moors if she had had any comments or objections from her neighbors. Mrs. Corroll-Moors replied that there were no negative comments, in fact, neighbors were supportive of the project. Rapunzel reported that Staff had received no comments, either in favor of or in opposition to the project.

There were no objections, comments or suggestions for changes until page 7, Finding for 155.4.4.4 (Criteria, Standards and Conditions of Approval). The Findings include, "Applicant also states that the area around the proposed guest house will be landscaped to minimize dust and erosion, construction dust will be kept to a minimum and a retaining wall will be in place to maintain structural and land integrity." Vice Chair Pesnell noted that the site plan submitted in Exhibit E did not show a retaining wall and asked where it would be built. Mrs. Corroll-Moors explained that placement of the retaining wall would be determined during site evaluation by an engineer.

Commissioners continued to read the Review of Applicable Criteria. During discussion of the Definitions, there was some discussion about the fact that the floorplan drawing submitted with Exhibit E showed a room labeled as a kitchen, which is not allowed in a guest house, according to Dunes City Code. Commissioners agreed to discuss further during Deliberation and Recommendation.

Commissioners continued to read the Review of Applicable Criteria and the Findings of Fact. There were no objections, comments or suggestions for changes.

10. NEW BUSINESS

A. CUP Application – Deliberation & Recommendation

Chair Allen asked if Commissioners had questions for Staff. Commissioner Phillips asked where the suggested language for the Condition of Approval limiting the kitchen facilities was found. Rapunzel replied that it was from language in the National Electrical

Code and it had been provided only as a suggestion for Commissioners to consider if, indeed, they wished to include a Condition on what constitutes kitchen facilities. Mrs. Corroll-Moors noted that she would like her mother, who will be living in the guest house, to be able to make tea and wash dishes in that area which she will also use for crafts.

There was considerable discussion about what constitutes a kitchen. Ultimately, Commissioners agreed that the proposed guest house could not have a permanent kitchen. It was suggested that Staff ask the contractor to change his floor plan drawing so that it did not include the description "kitchen."

Vice Chair Pesnell made a motion for the Planning Commission to recommend that the City Council approve the Conditional Use Permit with the conditions that: 1) Applicant must comply with all City requirements for grading excavating, drainage and erosion and sediment control as determined by Staff's site review before building permits will be issued, 2) The guest house shall not have a permanent kitchen, 3) The Conditional Use Permit will run in perpetuity with the property, and 4) the floor plan drawing must not contain the description "kitchen." Commissioner Phillips seconded the motion. In a roll call vote, Commissioners unanimously passed the motion.

Commissioners directed Staff to prepare the Planning Commission Report and Findings of Fact with the suggested Conditions of Approval.

B. 2020 Citizen Input Report (Draft due September PC meeting)

Commissioners asked Staff to draft a report for review during the September meeting.

C. Outdoor Lighting Ordinance Next Steps

Staff offered to send an email to the workgroup who participated in the November 2019 discussion about outdoor lighting. Commissioners did not object.

11. UNFINISHED/OLD BUSINESS

None scheduled.

12. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

There were none.

11. ADJOURNMENT

Vice Chair Pesnell made a motion to adjourn. Commissioner Gorder seconded the motion and the motion passed by unanimous vote.

Chairman Allen adjourned the meeting at 7:35 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 24th DAY OF SEPTEMBER 2020

[Signed copy available at City Hall]

Bonnie Allen, Chairman

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder