



PLANNING COMMISSION MINUTES ~ APPROVED

THURSDAY, SEPTEMBER 23, 2021 AT 6:00 P.M.

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 to order the September 23, 2021 Planning Commission meeting at 6:00 pm.

2. ROLL CALL

Roll Call was taken by Planning Secretary Lani Noroña.

Present: Chair Bonnie Allen, Vice Chair Ken Pesnell, Commissioner Wanda Phillips, and Commissioner Jamie Gorder.

Absent and Excused: Commissioner Michael Mathews.

Also Present: Planning Secretary Lani Noroña and City Administrator/Recorder Jamie Mills.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Vice Chair Pesnell made a motion to approve the Agenda.

Commissioner Phillips seconded the motion and the motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

A. Planning Commission Meeting Minutes of August 26, 2021.

Vice Chair Pesnell made a motion to approve the Consent Agenda.

Commissioner Phillips seconded the motion and the motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

- A. Chair Allen recognized the achievements of retired Dunes City Planning Secretary Rapunzel Oberholtzer, who will be dearly missed, and welcomed Lani Noroña as the new Planning Secretary.
- B. City Administrator/Recorder Mills announced the following update regarding Fish Screens:
There is an Oregon Tax Credit available to Dunes City property owners who are required to install Fish Screens. The application form is on the Dunes City website.
The application must be filed and approved before spending any money.
If approved, a reimbursement of up to 50% is issued as a tax credit.
- C. Chair Bonnie Allen mentioned that there have been complaints of a fish smell in the water, followed by general discussion of this issue.
- D. Commissioner Phillips asked how much a Fish Screen costs.
City Administrator/Recorder Mills answered that right now the cost is \$350.
She added that in 1992 the State passed the requirement for installations of Fish Screens on all diversions out of the lake. Since then, some pumps have been made with fish screens approved by Fish and Wildlife.

7. CITIZEN INPUT

There was none.

8. PUBLIC HEARING

None scheduled.

9. NEW BUSINESS

- A. Annual C.I.P. Report
 - 1. Planning Secretary Noroña read a summary of the Draft of the 2021 Annual C.I.P. Report.
Chair Bonnie Allen requested changes to some of the wording.
 - 2. Vice Chair Pesnell made a motion to approve the annual C.I.P. Report, with the changes.
Commissioner Phillips seconded the motion and the motion passed by unanimous vote.
Chair Allen stated she will sign the revised C.I.P. Report and it can then go to City Council.
A copy of the amended Draft C.I.P. is attached to these minutes.

10. UNFINISHED / OLD BUSINESS

- A. Review Outdoor Lighting Draft Ordinance
 - 1. Planning Secretary Noroña directed Commissioners' attention to the language for a Variance procedure applicable to the Outdoor Lighting Draft Ordinance.

2. Commissioners discussed the Variance language, the Amortization and Prohibited Lighting sections, and the subject of complaint driven Code enforcement.
3. Chair Allen asked about the City being divided into quadrants, with City Councilors driving around and looking at the community.
City Administrator/Recorder Mills answered that City Councilors were each given an area of Dunes City roads to monitor, that Councilors can report as a complainant if they see something wrong, and that all City Councilors will be Code Enforcement Officers.
4. City Administrator/Recorder Mills read the City Attorney's review of the Draft Ordinance for Outdoor Lighting.

- a. Councilors resumed discussion of the Variance language applicable to the Amortization section and Code enforcement.

City Administrator/Recorder Mills stated that current Code covers violations including lighting issues and a provision for fines.

- b. Planning Secretary Noroña pointed out the following:
 1. 94.010, Paragraph **A**, states that if someone applies for a Variance "...including an amortization extension ..."
 2. 94.010, Paragraph **B-3**, states:
"Financial Concerns alone do not compromise a hardship under this Code".
Commissioners discussed how hardships, financial or otherwise, are decided or enforced. Chair Allen said she thinks the City's standards for enforcement are to be objective and quantifiable. Commissioners discussed hypothetical situations.
Commissioners agreed that data used to decide on a five-year Amortization period was from reviewing Amortization schedules from Oregon Model Development Code, Dundee, Florence, and others.
- c. Vice Chair Pesnell had a questions about the following:
 1. Existing language in the "Flag Uplighting" section.
Commissioners discussed the language and Vice Chair Pesnell and agreed the existing language is satisfactory.
 2. He also referred to section 94.011 A, and asked how the City determines the listed requirement for "... footcandle level at the property line..."
City Administrator/Recorder Mills answered the City defers these determinations to the Building Inspector.
- d. Chair Allen asked Commissioners if they are comfortable with the Draft Ordinance.
Vice Chair Pesnell made a motion to accept the Outdoor Lighting Draft Ordinance and forward it to the City Council.
Commissioner Gorder seconded the motion and it passed by unanimous vote.

11. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA/FOR THE GOOD OF THE ORDER

- A. Planning Secretary Noroña announced that the Public Notice of October 28th, 2021 Public Hearing for Ordinance 259 was posted and mailed to all Dunes City property owners of record. Commissioners discussed who plans to attend the October 28th meeting, to ensure there is a quorum for the Public Hearing.
- B. Chair Allen raised the possibility of continuing the October 28th Public Hearing and asked the Commissioners about available dates in November 2021. Vice Chair Pesnell, Commissioner Gorder, and Commissioner Phillips stated they plan to be available November 18th, 2021.

Commissioners discussed the Public Notice language and the general Public Hearing process.

12. ADJOURNMENT

Commissioner Phillips made a motion to adjourn.
Vice Chair Pesnell seconded the motion and it passed by unanimous vote.
Chair Allen adjourned the meeting at 6:54 p.m.

APPROVED BY THE PLANNING COMMISSION ON THE 28TH DAY OF OCTOBER, 2021.

[Signed Copy Available at City Hall]
Bonnie Allen, Chair

ATTEST:

[Signed Copy Available at City Hall]
Jamie Mills, City Administrator/Recorder