



PLANNING COMMISSION MEETING MINUTES ~ APPROVED

THURSDAY, FEBRUARY 24, 2022 AT 6:00 P.M.

City Hall ~ 82877 Spruce St., Westlake, OR 97493

The proceedings of the Dunes City Planning Commission are recorded and on file at Dunes City Hall. Upon approval by the Planning Commission, these minutes will be available online at: www.dunescityor.com.

1. CALL TO ORDER

Chair Bonnie Allen called to order the February 24, 2022 Planning Commission meeting at 6:01 p.m.

2. ROLL CALL

Planning Secretary Lani Noroña took the Roll Call.

Present: Chair Bonnie Allen, Vice Chair Ken Pesnell, and Commissioner Michael Mathews.

Absent: N/A

Absent / Excused: Commissioner Wanda Phillips and Commissioner Jamie Gorder.

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

3. PLEDGE OF ALLEGIANCE

All who wished to participate stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Vice Chair Pesnell made a motion to approve the Agenda.

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

5. APPROVAL OF THE CONSENT AGENDA

A. Minutes of the January 27, 2022 Planning Commission Meeting:

Vice Chair Pesnell made a motion to approve the amended January 27, 2022 P.C. minutes.

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

6. ANNOUNCEMENTS / CORRESPONDENCE

A. 2021 Land Use Legislation /Report

Planning Secretary Noroña informed Commissioners that the report includes land use issues that have arisen in previous P.C. meetings and is provided as previously requested.

Chair Allen referred to HB 2534, regarding H.O.A. removal of discriminatory language. She asked if Dunes City government has a responsibility to notify H.O.A.s of this bill.

City Administrator/Recorder Mills replied that the City does not govern H.O.A.s or CCRs, adding she will determine the best way to notify any Dunes City H.O.A.s.

Chair Allen asked about HB 2560, regarding public access to meetings held by a governing body of a public body.

City Administrator/Recorder Mills informed Commissioners that a portion of American Rescue Funds Act dollars are paying for the City's technology upgrades. The upgrades are under way, with plans to provide virtual attendance opportunities for all Dunes City public meetings.

7. CITIZEN INPUT FOR ITEMS NOT LISTED ON THE AGENDA

There was none.

8. PUBLIC HEARING

There was none.

9. NEW BUSINESS

There was none.

10. UNFINISHED / OLD BUSINESS

A. Review Outdoor Lighting Next Steps.

Planning Secretary Noroña directed Commissioners' attention to proposed Ordinance No. 258 and proposed Ordinance No. 260, for comparison. She stated that City Council did not adopt either proposal, objecting to some of the technical language and the issue of enforcement.

Commissioners and Staff discussed the City's procedures for nuisance complaints and enforcement, as it might apply to Outdoor Lighting.

City Administrator/Recorder Mills gave a detailed explanation of nuisance enforcement procedures and informed Commissioners that existing nuisance code includes an all-encompassing paragraph that does not specify or exclude what someone considers a nuisance.

Chair Allen voiced concern that citizens who worked on an Outdoor Lighting ordinance deserve an explanation of what happened. She solicited ideas for how to move forward with Outdoor Lighting, but stated it might not be appropriate for the Planning Commission to continue.

Commissioners and Staff discussed who could work on integrating Outdoor Lighting issues into the existing nuisance ordinance.

Chair Allen stated a key Planning Commission objective is for City Council to consider the P.C.'s Ch. 155 revisions. She added that since the Mayor's passing, the City Council has much to deal with and the Planning Commission should help them move forward in a constructive manner. She added the subject of Outdoor Lighting would not be abandoned but revisited, adding that the City Council review of Ch. 155 revisions are first priority.

Commissioners agreed that City Council review of Ch. 155 revisions is top priority, and that the subject of Outdoor Lighting, especially citizen concern about Outdoor Lighting, would be revisited.

Chair Allen emphasized the importance of Commissioners to attend City Council meetings, acting as advocates, to answer questions and to explain, as Planning Commissions and C.A.C.s. reviewed and revised Ch. 155 over a ten-year period and the City Council did not.

Vice Chair Pesnell asked what options the Planning Commission has if the City Council does not pass the proposed Ch. 155 revisions.

City Administrator/Recorder Mills replied if the City Council does not pass Ch. 155 revisions, the only option is to start the entire process all over again.

Vice Chair Pesnell asked City Administrator/Recorder Mills when she anticipates the City Council will consider Ch. 155 revisions.

City Administrator/Recorder Mills said it might be on the April City Council Agenda, but that the Council will also be working on the City budget.

Commissioners and Staff discussed the importance of Ch. 155 revisions, the impacts of current Code on the Planning Commission's Land Use decisions, and the inability for Staff to give clear answers to Land Use and development inquiries.

B. Review DLCD Post Acknowledgement Plan Amendments (PAPA) and Public Hearing procedures.

Planning Secretary Noroña reported that DLCD offers training on PAPA, Public Hearing procedures and other Land Use regulations. She stated that currently training would be digital, due to Lane County pandemic protocols.

Chair Allen asked if Dunes City is in the DLCD's Coastal Region.

City Administrator/Recorder Mills explained Dunes City is within the Coastal Region, but the DLCD's primary focus for the Coastal Region is oceans.

Chair Allen reviewed the types of procedures (Type I, Type II, Type III, Type IV) the P.C. uses to make Land Use decisions and recommendations to City Council. She stated it is important that Commissioners understand the differences of each Type. She noted these procedures include provisions for appeals, recalling public comments during the Public Hearings for Ch. 155 revisions that indicated a misunderstanding of the ability to appeal decisions.

Chair Allen asked about the DLCD Guide to Implementing the Accessory Dwelling Units (A.D.U.s). Planning Secretary Noroña explained that Dunes City is currently exempt from allowing ADU's, as the population is less than 2,500. She informed Commissioners the State legislature is reviewing regulations aimed at developing more housing, more housing options, and more affordable housing.

Planning Secretary Noroña stated there is lots of confusion between definition of an A.D.U. and a Guest House, and that some people mistakenly use the two terms interchangeably.

Chair Allen confirmed that Dunes City development Code does not currently allow ADUs, but does allow a Guest House without a kitchen.

Staff confirmed existing Code does not allow A.D.U.s, and clarified that the existing definition for a Guest House specifies no kitchen and no cooking facilities.

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

- A. Vice Chair Pesnell remarked that Lane County replaced the road sign for Cloud Nine Road.
- B. City Administrator/Recorder Mills informed Commissioners that Lane County received \$17.5 M from the Federal government and are using those funds for increased Sherriff patrols. It is unknown whether or not there will be more officers assigned to the Dunes City area.

12. ADJOURNMENT

Vice Chair Pesnell made a motion for adjournment.

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

Chair Allen declared the meeting adjourned at 7:00 p.m.

APPROVED BY THE PLANNING COMMISSION ON THE 23RD DAY OF JUNE 2022.

[Signed Copy Available at City Hall]

Ken Pesnell, Vice Chair

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder