



**PLANNING COMMISSION MEETING MINUTES ~ APPROVED  
REGULAR SESSION THURSDAY, JUNE 23, 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](http://www.dunescityor.com).

**1. CALL TO ORDER**

Vice Chair Ken Pesnell called to order the June 23, 2022 Planning Commission meeting at 6:03 p.m.

**2. ROLL CALL**

Planning Secretary Lani Noroña took the Roll Call.

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

**Absent:** N/A

**Absent / Excused:** Commissioner Michael Mathews.

**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**

Commissioner Phillips made a motion to approve the Agenda.

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

**5. APPROVAL OF THE CONSENT AGENDA**

A. Minutes of the February 24, 2022 Planning Commission Meeting:

Commissioner Gorder made a motion to approve the amended February 24, 2022 P.C. minutes.

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

## **6. ANNOUNCEMENTS / CORRESPONDENCE**

### **A. Planning Commission Chair vacancy**

Planning Secretary Noroña announced P.C. Chair Bonnie Allen resigned from Planning Commission on May 19, 2022.

City Administrator/Recorder Mills explained procedures for filling the vacancy.

Planning Secretary Noroña informed Commissioners she sent The Siuslaw News a Press Release announcing the P.C. Chair vacancy and that The Siuslaw News is publishing only once per week. Commissioners and Staff discussed potential impacts of once per week newspaper publication on Public Notice and Publishing requirements.

Commissioners decided to wait and see if the City receives any applications.

### **B. 1. Ordinance No. 256-B, Short-Term Rentals adding a new Chapter 123 to Title XII**

Planning Secretary Noroña informed Commissioners of Dunes City's new Short-Term Rental Ordinance and that the City is currently aware of thirty-three (33) Dunes City properties operating Short Term Rentals. She explained that determining the exact number is dependent on which websites are accessed and which dates are used for the search.

Commissioner Phillips asked if the City Council had considered limiting the number of STRs in Dunes City.

City Administrator/Mills answered that City Council requested research into whether other local communities had identified impacts of STRs. She said there was a study that stated if STRs are over 5% of residential properties, there is an impact but the study results did not state if that was a positive or negative impact and did not state what the impact is.

Commissioners and Staff discussed STR regulations in other coastal communities, the potential for additional Dunes City STR regulations, and the Transient Room Tax (TRT).

### **2. Resolution Series 2022, No. 9 – establishing a fee for Short-Term Rentals**

### **C. Resolution Series 2022, No. 7 – re: Dunes City Small Community Water system (Fern Acres)**

City Administrator/Recorder Mills described why the Fern Acres water system is in a crisis state, the ongoing costs which homeowners have been paying themselves, and the restriction of using water 2 hours per day because of ongoing leaks which have not been located. She added that the Fern Acres H.O.A. is not currently registered and required State drinking water quality reports are in arrears. The H.O.A. was created in 1965, so formation documents have not been located, and the Title Report shows the Fern Acres community has no right to use the lake access residents believed was legal. The City was recently notified that drawing water under Dunes City's Water Right is for one diversion point for one household.

Before the City can assume operation of the Fern Acres community water system, the City must get a municipal permit, which requires an examination of the outlet control structure on Woahink Lake, the storage, and the in-stream flow requirement. This is complicated by the fact that the dam is on private property and the City has no access to the dam. The City has offered to buy this property but the offer was refused, possibly due to the plan proposing a water treatment plant on the property. The City needs access to the dam or to find a different location for a water treatment plant. Commissioners and Staff discussed the future of water supply in Dunes City, the age of Dunes City's aging infrastructure, and the costs of developing a Dunes City Community Water System.

#### D. Dunes City Residential Development

##### 1. Permit Reports

Planning Secretary Noroña informed Commissioners of the following:

- a. The volume of current and proposed development, and the volume of property sales.

She asked Commissioners if they want to continue receiving Permit Reports in the meeting packets and Commissioners said yes.

- b. The P.U.D. notified NW Code Professionals that due to supply issues, they will not release new build equipment such as transformers and cable, as they are reserving it for emergencies.

##### 2. Vice Chair Pesnell asked for the status of the Little Woahink Heights development.

Planning Secretary Noroña said the developer must replat, showing a private road and gated community. She added that the City received a complaint of vehicles driving up to the point where Little Woahink Drive is blocked off and parking there, or using private driveways and private property to turn around.

Vice Chair Pesnell voiced a concern about the lack of space for vehicles to turn around.

The existing plat map was reviewed, where someone had made a mark for the proposed location of the gate. It does not appear there is enough room for vehicles to turn around.

A suggestion was made for signage at the county road, such as “No Outlet”, that might prevent some vehicles from traveling down Little Woahink Drive.

#### E. Parkway Drive Project

City Administrator/Recorder Mills explained that the bid for this project was awarded and entails straightening a blind corner, up to the hill portion of Parkway Drive.

### 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. Update on .....

Planning Secretary Noroña explained this was an error on the Agenda.

Commissioners discussed the possibility of revisiting an Outdoor Lighting Ordinance.

- B. Commissioners asked for a status of Chapter 155 revisions by City Council. City Administrator/Recorder Mills explained that she must prepare a Staff Report to City Council that includes Planning Commission recommendations, changes in State legislation, and a few things that Staff has identified. Planning Secretary Noroña informed Commissioners that a draft Staff Report is in progress, and asked Commissioners if they want a copy. Commissioners said yes, adding that they want to attend the City Council meeting when Ch. 155 revisions are presented.

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

Vice Chair Pesnell reported he participated in the 2022 Dunes Triathlon, with about 120-150 other participants. He mentioned that radio operators were there, so traffic control was good. He also celebrated his birthday and was honored by people singing “Happy Birthday” to him.

City Administrator/Recorder Mills thanked Vice Chair Pesnell for representing Dunes City.

Planning Secretary Noroña asked Commissioners if they, or anyone they know, has photos the City can legally use of Woahink or Siltcoos Lake. She explained that STR operators must post notices informing guests that Dunes City quiet hours are from 7:00 p.m. to 7:00 a.m. and *“Woahink and Siltcoos lakes serve as drinking water supplies to this facility. Please protect lake water quality as if it is your own drinking water, because it is. Thank you!”*

Commissioner Gorder commented that she could understand some people not putting up the notice, citing that most “quiet hours” begin at 10:00 p.m.

City Administrator/Recorder Mills said Dunes City Code lists 7:00 p.m. but suggested that Planning Commissioners can explore changing that.

Commissioners and Staff discussed enforcement of complaints and the complaint process outlined in the Short-Term Rental Ordinance.

## **12. ADJOURNMENT**

Vice Chair Pesnell adjourned the meeting at 7:11 p.m.

**APPROVED BY THE PLANNING COMMISSION ON THE 28<sup>TH</sup> DAY OF JULY 2022.**

[Signed Copy Available at City Hall]

Ken Pesnell, Vice Chair

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder