



**PLANNING COMMISSION MEETING MINUTES ~ APPROVED
REGULAR SESSION - THURSDAY, JANUARY 26, 2023 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.dunescityhall.com.

1. CALL TO ORDER

Chair Rapunzel Oberholtzer called to order the January 26, 2023 Regular Session Planning Commission meeting at 6:00 p.m.

2. ROLL CALL

Planning Secretary Lani Noroña called the Roll.

Present: Chair Rapunzel Oberholtzer, Vice Chair Ken Pesnell, Commissioner Jamie Gorder. Chair Oberholtzer pointed out that there are two Planning Commission vacancies.

Absent:

Absent / Excused: N/A

Also Present: City Administrator/Recorder Jamie Mills, Planning Secretary Lani Noroña, Mr. Alan Montgomery, and Ms. Janellen Montgomery.

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 Gorder seconded the motion. The motion passed unanimously.

5. APPROVAL OF THE CONSENT AGENDA

A. Draft minutes of the Planning Commission's Thursday, December 15, 2022 Special Session meeting.

Commissioner Gorder made a motion to approve the Consent Agenda. Vice Chair Pesnell seconded the motion. The motion passed unanimously.

Chair Oberholtzer requested that in the future, staff include the number of Commission vacancies under the Roll Call section of the minutes, to ensure public awareness.

6. ANNOUNCEMENTS / CORRESPONDENCE

Planning Secretary Noroña announced the following:

- A. Reminder of Public Hearing for partition application at the Feb. 23, 2023 P.C. meeting
- B. Dunes City Residential Development permits issued from 12-16-202 to 1-26-2023:
One (1) Structural permit for a repair, four (4) Mechanical, and five (5) Electrical permits.
There were no new building permits issued during this period.
- C. Draft minutes from the December 21, 2022 City Council meeting.
- D. City Administrator/Recorder Mills referred to a letter from the attorney representing the Montgomery View Estates development, requesting the subdivision roadway be made a private road. She has indicated to the attorney that City Council would likely approve a private roadway, provided there is specific mention in the CCRs for a Homeowner's Association to be responsible for road maintenance. For the record, she stated that Mr. and Ms. Montgomery were present at the meeting, to explain the request and answer any questions.

Vice Chair Pesnell asked for an update of Montgomery View Estates development and the number of lots.

Mr. Montgomery said development is proceeding and paving was completed in October, 2022. He said there are eighteen (18) one-acre lots and an additional twelve (12) acres proposed for future division.

Vice Chair Pesnell asked if a community well is still planned.

Mr. Montgomery said there are currently three (3) wells, and there is a State water right as a back-up water source.

Vice Chair Pesnell asked for clarification of where the City stands regarding approval of Montgomery View Estates subdivision.

City Administrator/Recorder Mills stated the Planning Commission review is complete and the City Council makes the final decision.

- E. City Administrator/Recorder Mills announced that Lane County Commissioner Ryan Ceniga and Lane County Sheriff's Sergeant Timothy Ware plan to attend the City Council's Wednesday, Feb. 15, 2023 meeting.

Chair Oberholtzer stated she usually attends City Council meetings, and offered any Planning Commissioner unable to attend this meeting can forward questions for Commissioner Ceniga or Sergeant Ware to her, or to staff.

7. CITIZEN INPUT FOR ITEMS NOT LISTED ON THE AGENDA

Chair Oberholtzer stated, for the record, that items 6. D and 6. E. (above) fulfilled citizen input for items not listed on the Agenda.

Mr. Montgomery asked for clarification of the City's decision-making process.

City Administrator/Recorder Mills clarified that the City Council makes the final decision.

Planning Secretary Noroña pointed out that Dunes City is waiting for the State to determine the start date of the ten-year limit from preliminary plat approval to final plat approval.

8. PUBLIC HEARING

There was none scheduled.

9. NEW BUSINESS

A. Election of Planning Commission Chair and Vice Chair

Vice Chair Pesnell asked staff if there was any interest regarding Commission vacancies. Planning Secretary Noroña informed Commissioners the City has one (1) applicant for both Planning Commission and Budget Committee, but it is unknown if the applicant is willing to serve on both.

Commissioner Gorder made a motion to nominate Commissioner Rapunzel Oberholtzer as Planning Commission Chair.

Vice Chair Pesnell seconded the motion. The motion passed unanimously.

Commissioner Gorder made a motion to nominate Commissioner Ken Pesnell as Planning Commission Vice Chair.

Chair Oberholtzer seconded the motion. The motion passed unanimously.

B. Review of Ch. 155 recommendations / process (housekeeping)

Chair Oberholtzer explained that since the Commission forwarded recommendations to City Council for approval of Chapter 155 revisions, staff realized that the P.C.'s recommendation to change from a 30-day limit for action to a 60-day limit does not allow City Council enough time to meet the State requirement that the City make a final decision within 120 days.

Planning Secretary Noroña informed Commissioners that the State required 120-day limit must also include time for appeals.

Chair Oberholtzer read aloud the text of Chapter 155.4.1.7 F (3):

If the Planning Commission fails to adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within 30 days of its first public hearing on the proposed change, the Planning Secretary shall:

Chair Oberholtzer suggested that the Planning Commission make a motion to change this language in 155.4.1.7, F. (3).

Vice Chair Pesnell made a motion to change the wording in 155.4.1.7, F. (3) from "***within 30 days of its first public hearing on the proposed change***", to "within 60 days", for Planning Commission's recommendations to City Council.

Commissioner Gorder seconded the motion. The motion passed unanimously.

C. Pending development proposal / Site Visit?

Planning Secretary Noroña informed Commissioners that a property at the end of Helkat Trail is proposed for development of a new, single-family residence. The property owner(s) have several lots there, but is only interested to develop one. The developer of this project asked if a Site Visit is required.

Chair Oberholtzer said there is a steep gully on part of these lots, but the property owners propose to build the house at the top of the property, where it is flat. Planning Secretary Noroña showed Commissioners the map of all the property owners' lots and indicated the site of the proposed development. She referred to the October 19, 2022 Branch Engineering geotechnical report for the site.

Chair Oberholtzer read aloud Dunes City Code, **§ 155.2.4.200 Excessive Slopes**

B. (1) Development on slopes 12% to 16% shall be subject to site review and approval by the Planning Commission. The Planning Commission may require the applicant to obtain an engineer's or geologist's report concerning the property and development in question.

B. (2) Development on slopes greater than 16% will be allowed only after the applicant has supplied proof of safety of the proposed development. For purposes of this section, a licensed Oregon Engineer's report shall satisfy proof of safety of the proposed development.

Commissioners decided a Site Visit is not required, as the Branch Engineering geotechnical report satisfies Code requirements. Commissioners directed staff to notify the developer.

10.UNFINISHED / OLD BUSINESS

A. Schedule the next Planning Commission meeting

Commissioners scheduled the next Planning Commission meeting for February 23, 2023. Chair Oberholtzer reminded Commissioners this meeting includes a Public Hearing for a partition application.

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

Mr. Montgomery reported that Janellen Montgomery now has a Certification for Erosion and Sediment Control. Ms. Montgomery offered this as a help for Commissioners.

Vice Chair Pesnell expressed appreciation and said the information is helpful to him, but not in his official capacity as a Planning Commissioner.

Commissioner Gorder mentioned there are two (2) Planning Commission vacancies.

Vice Chair Pesnell asked if there was any announcement about a 2023 Triathlon.

City Administrator/Recorder Mills said she will investigate any plans for a 2023 Triathlon.

Chair Oberholtzer thanked Commissioners for nominating and voting her as P.C. Chair.

12. ADJOURNMENT

Vice Chair Pesnell made a motion for adjournment.

Commissioner Gorder seconded the motion. The motion passed unanimously.

Chair Oberholtzer adjourned the meeting at 6:40 p.m.

APPROVED BY THE PLANNING COMMISSION THE 23RD OF FEBRUARY, 2023.

[Signed Copy Available at City Hall]

Rapunzel Oberholtzer, Chair

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder