



## PLANNING COMMISSION MEETING MINUTES ~ APPROVED REGULAR SESSION - THURSDAY, APRIL 27, 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](http://www.dunescityhall.com).

### 1. CALL TO ORDER

Chair Rapunzel Oberholtzer called to order the Thursday, April 27, 2023 Planning Commission Regular Session meeting at 6:02 p.m.

### 2. ROLL CALL

Planning Secretary Lani Noroña called the Roll.

**Present:** Chair Rapunzel Oberholtzer, Vice Chair Ken Pesnell, Commissioner Ed McGuire, and Commissioner Gail Nichols.

**Absent:** N/A

**Absent / Excused:** Commissioner Jamie Gorder

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

### 3. PLEDGE OF ALLEGIANCE

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

### 4. APPROVAL OF THE AGENDA

Chair Oberholtzer amended the Agenda, by adding "Next Steps re: 259", as a new Item B., under New Business.

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

Commissioner Nichols seconded the motion. The motion passed unanimously.

### 6. APPROVAL OF THE CONSENT AGENDA

A. Draft minutes of the Planning Commission's Thursday, March 23, 2023 meeting.

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

Commissioner Nichols seconded the motion. The motion passed unanimously.

## **7. ANNOUNCEMENTS / CORRESPONDENCE**

Planning Secretary Noroña announced the following:

- A. The Lane County Roads Survey ends April 30, 2023.
- B. The City Council approved the Application for Considering Land Divisions, for the Erhart Road partition, at the April 19, 2023 City Council meeting.
- C. Dunes City Residential Development permits issued from 2-15-2023 to 3-14-2023:  
One (1) Structural, five (5) Mechanical, and five (5) Electrical.  
Recent property sales and a potential subdivision development will increase Dunes City development.  
  
City Administrator/Recorder Mills reported there are currently fifteen (15) new homes being built in Dunes City and two more are expected soon.
- D. Draft minutes from the March 15, 2023 City Council meeting.  
Chair Oberholtzer pointed out a typo on pg. 3 of the March 15, 2023 C. C. minutes.

## **8. CITIZEN INPUT FOR ITEMS NOT LISTED ON THE AGENDA**

There was none.

## **9. PUBLIC HEARING**

There was none.

## **10. NEW BUSINESS**

- A. Conditions of Approval for Little Woahink Heights subdivision

Chair Oberholtzer explained that Exhibit A, Legal Description in the Declaration of Covenants, Conditions, Restrictions (CCRs), and Easements for this subdivision include the phrase “except all that portion lying within the FIRST ADDITION TO LITTLE WOAINK LAKE”, which is the small lots across the top of the plat map. The recorded plat map specifically excludes the lots in First Addition to Little Woahink Lake.

Planning Secretary Noroña produced copies of the plat map, to show which lots are excluded from the Declaration of Covenants.

Commissioners and staff discussed the fact that cities have no jurisdiction or ability to enforce conditions of CCRs.

City Administrator/Recorder Mills stated the City can enforce Conditions of Approval that are on the recorded plat map.

Chair Oberholtzer asked if the Conditions of Approval are met, except any conditions related to building.

Staff confirmed that the approved water system is installed, coming from a diversion point in Woahink Lake.

Commissioners and staff discussed sold lots, cleared lots, and one lot with approved building plans.

**B. Next Steps re: Ordinance No. 259**

Chair Oberholtzer asked Commissioners if they want to submit a statement to City Council, regarding the 2021 P. C. Findings of Fact and Recommendations regarding Ordinance No. 259. She informed new Commissioners that copies of previously submitted testimony are available at City Hall, and that the Ordinance, associated documents, and meeting minutes from the October 28, 2021 and November 18, 2021 public hearings are on the Dunes City website.

Commissioners discussed the details of drafting such a statement and agreed to submit, as a group, a statement supporting adoption of Ordinance No. 259.

City Administrator/Recorder Mills added that Commissioners can also submit verbal or written testimony individually, as Dunes City property owners.

**11. UNFINISHED / OLD BUSINESS**

**A. DLCD Online Training**

Chair Oberholtzer mentioned that the Department of Land Conservation and Development (DLCD) has videos for online Land Use training.

She asked Commissioners if they want to schedule these for future P.C. meetings.

Commissioners agreed to put videos on the Agenda for the next P.C. meeting.

**B. Schedule the next Planning Commission meeting**

Commissioners scheduled the next Planning Commission meeting for 6:00 p.m., Thursday, May 25, 2023.

**12. UNSCHEDULED ITEMS NOT ON THE AGENDA FOR THE GOOD OF THE ORDER**

Vice Chair Pesnell asked if there was an update regarding the Montgomery View Estates subdivision.

Planning Secretary Noroña answered that the DLCD is researching the history of the Montgomery View subdivision, to answer the question of whether the ten-year period from Preliminary Plat approval to Final Plat approval has expired, and has not yet provided a definitive answer.

Chair Oberholtzer asked if there were any further approvals since the approval of the subdivision roads.

City Administrator/Recorder Mills answered that Dunes City signed the section of the Land Use Compatibility Statement (LUCS) for the owners, but has not received an approved DEQ permit for the subdivision.

**13. ADJOURNMENT**

Commissioner Nichols made a motion for adjournment.

Commissioner McGuire seconded the motion.

The motion passed unanimously.

Chair Oberholtzer adjourned the meeting at 7:08 p.m.

**APPROVED BY THE PLANNING COMMISSION THE 25<sup>TH</sup> OF MAY, 2023.**

[Signed Copy Available at City Hall]

Rapunzel Oberholtzer, Chair

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder