



**PLANNING COMMISSION MEETING MINUTES ~ APPROVED
REGULAR SESSION OCTOBER 24, 2024 AT 6:00 PM**

City Hall ~ 82877 Spruce St. Westlake, OR

These proceedings of the Dunes City Council were recorded and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.gov

1. CALL TO ORDER

Chair Rapunzel Oberholtzer called the Thursday, October 24, 2024 Regular Session of the Dunes City Planning Commission meeting to order at 6:00 p.m.

2. ROLL CALL

Chair Rapunzel Oberholtzer called the roll.

Present: Chair Rapunzel Oberholtzer, Vice Chair Ken Pesnell, Commissioner Gail Nichols, Commissioner Sean Grundon and Commissioner Jamie Gorder

Also Present: City Administrative Assistant Linda Johnson and various citizens.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

All who were present stood for the Pledge of Allegiance.

4. CONSIDERATION OF THE AGENDA

Chair Rapunzel Oberholtzer requested to amend the agenda to include discussion of proposed Flood Ordinance No. 270. The Commissioners agreed to add discussion as New Business Item A – Proposed New FEMA Ordinance No. 270.

Vice Chair Ken Pesnell made a motion to approve the Agenda as amended. Commissioner Gail Nichols seconded the motion. The motion passed unanimously.

5. CONSIDERATION OF THE CONSENT AGENDA

Chair Rapunzel Oberholtzer asked if there were any questions or comments. There were none.

Commissioner Gail Nichols made a motion to approved the consent agenda.

Commissioner Jamie Gorder seconded the motion. The motion passed unanimously.

6. ANNOUNCEMENTS / CORRESPONDENCE

- A. City Council Work Session minutes from October 2, 2024 meeting
- B. City Council Regular Session minutes from September 18, 2024 meeting
- C. Permit Report

Chair Rapunzel Oberholtzer referred Commissioners to the list of announcements and asked if there was any discussion. There was none.

Chair Rapunzel Oberholtzer announced that the City's survey results were posted online.

7. CITIZEN INPUT

Jeanne Jackson stated that she continued to have concerns about discussions of Chapter 155. Mr. Jim Shepard introduced himself as a resident of Waldport interested in purchasing three lots on Booth Island. He noted that he was concerned that he would not be able to build a small cabin on Lot 1700 without avoiding setbacks. After discussion, Chair Rapunzel Oberholtzer offered to work with City Staff to get more information for him. Commissioner Jamie Gorder noted that it might be possible for the City to grant him relief from the setback requirements through one of the City's processes.

8. NEW BUSINESS

- A. FEMA Ordinance No. 270

Chair Rapunzel Oberholtzer explained that the proposed Ordinance was on the Council's October 16 Agenda for possible adoption, but the matter was tabled because several coastal city Mayors filed a lawsuit requesting a delay in the mandated December 1 adoption and expressing other concerns. She went on to explain that the delay allowed the Council to give the Planning Commission an opportunity to review the Ordinance, which affects land use code.

After discussion, Commissioners agreed that they did not have all of the information they felt they needed (flood map, mayors' concerns) or time to review the language before the adoption deadline. They agreed that the Commission could undertake a review if there is more time and more information is provided. The only change agreed to recommend to the Council was a correction to the Ordinance title.

- B. Schedule Next Planning Commission Meeting.
 - November 7, 2024
 - November 21, 2024
 - December 12, 2024

Commissioners had no objections to the meeting dates but did ask Staff to send an email reminder a day or two prior to the meeting.

9. UNFINISHED/OLD BUSINESS

- A. Chapter 155 Remand from City Council (Continued)
 - Follow up on Citizen Comment

Chair Rapunzel Oberholtzer referred to her memo outlining proposed changes to 120-Day Rule and Time Computation on page 141 of 268 in 155.4.1.120 (A&B). Following discussion, Commissioners agreed to adopt the language from the memo:

120-Day Rule. The City shall take final action on all Type 11 and Type 111 Quasi-Judicial land use applications that are subject to this Chapter, including resolution of all appeals, within 120 days after the application is deemed complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 277.178. (Note: The 120-day rule does not apply to Type 1V Legislative land use decisions (plan and code amendments).

Time Computation. “Days” means calendar days unless otherwise specified. In computing time periods prescribed or allowed by this Chapter, the day of the act or event from which the designated period of time begins is not included. The last day of the period is included, unless it is a Saturday, Sunday, or a legal holiday, in which case the period runs until the end of the next day that is not on a weekend or legal holiday.

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

Chair Rapunzel Oberholtzer conveyed a question from Staff: Does the Commission want meeting packets posted on the City’s website with the meeting Agenda prior to the meeting date. Commissioners agreed it would be helpful to citizens.

11. ADJOURNMENT

Commissioner Sean Grundon made a motion to adjourn the meeting. Commissioner Gail Nichols seconded the motion. The motion passed unanimously. Chair Rapunzel Oberholtzer adjourned the meeting at 7:33 pm.

APPROVED BY THE DUNES CITY PLANNING COMMISSION ON THE 7th DAY OF NOVEMBER, 2024.

[Signature on File]

Rapunzel Oberholtzer, Planning Commission Chair

ATTEST:

[Signature on File]

Lila Timmons, City Administrator/Recorder