



**PLANNING COMMISSION SPECIAL SESSION MINUTES ~ APPROVED
MARCH 8, 2011 AT 2:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

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

1. CALL TO ORDER

The Planning Commission meeting was called to order by Chairman, Lee Riechel at 2:08 pm.

2. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

3. ROLL CALL

Roll Call was taken by City Planner, Lisa Ekelund.

Present: Planning Chairman Lee Riechel, Planning Vice-Chairman George Burke, Commissioner Ken Henderson, Commissioner Norman Martin, and Commissioner Marilyn Miller.

Absent: None

Others Present: Lisa Ekelund and Administrative Assistant Haley Nelson.

4. APPROVAL OF THE AGENDA

Commissioner Miller made the motion to approve the Agenda as presented. Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

5. CONSENT AGENDA - None

6. ANNOUNCEMENTS / CORRESPONDENCE / DISCUSSION

Lisa reported that everyone is "on board" with changing the pages out in the codebooks. Lisa also commented that Commissioner Henderson found the page numbers referenced in Lisa's report to not match up with the PC members' pages of the report. Lisa explained, although pages do not line up, Chapter 155 is the same.

7. CITIZEN INPUT -None

8. PUBLIC HEARING - None

9 NEW BUSINESS - None

10. UNFINISHED / OLD BUSINESS

- Code Section Assignments and Discussion by Commissioners

Chairman Riechel explained the scope of the meeting, stating that it is limited to Chapter 155. He thinks we should have Citizen Involvement but we do not have a code or resolution for it. He would like to put together a stack of processes. Our task is to make sure we have Land Division & Zoning. We have to locate all of the ordinances that effect 155. We need to cancel Ordinance 182 that replaced the previous ordinances that created 155. Reviewing Title 15 of the Code is going to be a long task, with 80 to 90% of the Planning Commission work involving changes to 155. Chairman Riechel stated he wants to end up with 155 being consistent with what the City would be happy with sending to a professional service to codify the ordinance. He recommended reviewing all of the changes to the ordinance. The LUBA appeal came back saying we need to review all standards clearly and objectively. Eventually it comes down to reviewing each section of the code for non-enforceable standards. Today he wants everyone to think about what makes sense for this task.

Lisa asked if she should email everyone a copy of 155, so it can be checked for errors.

Chairman Riechel suggested taking Fred's copy of the Code Book and making it the Master.

Commissioner Miller said it should be nobody's copy, stays in the office.

Lisa thinks Fred should have the Master Copy.

Commissioner Martin said Commissioner Henderson has pointed out the wording in the ordinance and it can be quickly corrected. He asked to look at Goal 1 of the Comprehensive Plan. He was surprised when Chairman Riechel asked for a copy because he thought he handed them out to the Planning Commissioners. He guesses the handouts were given to everyone to criticize and he is not sure what else to do. He wants feedback on what he did.

Lisa talked to Commissioner Martin about how he did not go into enough detail regarding the Comprehensive Plan.

Commissioner Martin commented that the CCI will instruct the city to do what is necessary by law and advertise it and say what is going to be discussed and so on, and anybody can come up and say whatever they want. You cannot ask the CCA group because that is not their job. How deep should we go? I do not know. That is something that needs to be discussed.

Chairman Riechel said he is sensitive to that and from his viewpoint, the last couple of years, having involved citizens and public has been met with confusion. He wants to come up with a program, which will need to be funded. We will need to work towards a little bit more of a process of standards, forming and operating these committees.

Chairman Riechel said we want something on paper that someone can retrieve. Our small group of volunteers needs a good road map on how to work from a Comp Plan. He wants to see a resolution.

Commissioner Martin asked Lisa, what did you not understand, reading what I had suggested go into the Comprehensive Plan?

Lisa said it was very well written, this is what we want to do, but needing more detail.

Commissioner Burke said, how we get from plan A to plan B, comes back to the Planning Commission. We have to start from the beginning and define, what makes up the Citizen Involvement program? Who is the Manager of the program? Is it the Council? Is it the Planning Chairman? Is it a combination of people?

Commissioner Martin wrote something about CCI, everything else is the shell because it is from ORS. It is up to the City Council to decide.

Commissioner Burke said we need Administrative Rules. We have a goal but not a program. It does not have to be part of the Comprehensive Plan, but needs to help us get to the Comprehensive Plan. We have to establish it and it has to be something that can change.

Commissioner Miller referred to the List of Procedures to be followed. If it has to go through the process of discussion and change, then why do we put this out if we do not follow it? We need a plan we can stick with.

Commissioner Martin stated that the Comprehensive Plan can be changed but it is a process. We know that, therefore it can be changed.

Commissioner Miller asked the Planning Commissioners, when was the last time we made a change in the Comprehensive Plan?

Chairman Riechel stated that in 2000 the State said municipalities no longer have to meet the 5 year required plan. Our plan has not been updated since then.

Chairman Riechel said there is an Amendment Process and it has to go through DLCDD, we need to change the Comprehensive Plan so that it meets State Law. He would like to have the Administrative Procedure and use it while making the changes to the Comprehensive Plan.

Commissioner Henderson asked if Chairman Riechel prioritized the list of tasks on the chalkboard.

Chairman Riechel said that he just wrote them out as he thought of them.

Commissioner Henderson referred to the agenda, and asked if we are going to go through this today.

Commissioner Riechel stated that he would like to take smaller bites to better determine our progress. Two things we can immediately do would be to review #3 and #4. We need to get all of the ordinances that have been written to 155.

Commissioner Burke said Lisa already did all this work and has it in her book. He thinks Lisa has completed the task. Lisa said there is some confusion with 155.

Commissioner Burke commented, instead of writing new ordinances we need to go through the older ones to make corrections to ensure that they are consistent. It may take new ordinances to revise some of what has been done.

Chairman Riechel stated that the Planning Commissioners should make a decision on whether they can make corrections for 155, with one ordinance or multiple ordinances.

Commissioner Burke wants to delete 155, canceling 182, starting with a clean slate.

Commissioner Henderson stated what is challenging is determining the makeup of the policies, codes and ordinances. Do policies always have ordinances?

Chairman Riechel stated that an ordinance that is written against 155 or any other ordinance that impacts Ordinance 155 changes the law. It is the law. If there is confusion in that then our task is to make those corrections.

Commissioner Miller raised the question, if an ordinance passes, does it then become code?

Chairman Riechel stated that an ordinance becomes the law, but part of the code refers to being codified.

Commissioner Martin asked about findings of Ordinance 182 that might have been thrown out. Was 155 put in there to take the place of things thrown out of 182 with the Land Use Ordinance? They are somehow intertwined. Gary Darnielle did a thorough job on his thoughts about 182. Larry Lewis did a fair amount of research. Would it be worth looking at what he came up with?

Chairman Riechel stated, we have input from various sources and they need to be reviewed. Incorporate them or not? We have to agree on what we want to do. I hate to send this all off to the whole group to look at what Gary Darnielle looked at or Larry Lewis or by the Road Commission. Larry Lewis took all of our input and put it together.

Commissioner Miller was excused from the meeting at 3:03 pm.

Commissioner Burke said he would like to review the Teri Tinker documents.

Chairman Riechel said he would ask the City Council, as well as to have an attorney review the documents. Larry Lewis's version had changes from Dec 2006 and they affixed different word definitions. Planned unit development lists page 133 with changes to Limited Land Use. Half of what was changed in Larry's version and with reviewing the minutes; it shows that no vote was taken.

Commissioner Burke, asked Lisa how much time do you have to help look through the Planning Books?

Lisa said she would make time. Haley is helping with the minutes to give her more time.

Chairman Riechel stated that we need to review it all, paragraph by paragraph. We need to go through each section and do a mark up for everyone to review. If changes are inappropriate, or if the changes do not appear in the Master Book, there will be a lot of work ahead.

Commissioner Burke's vacation begins March 17, 2011. He asked if there is anything he could do to help out right now. He is willing to do anything but would prefer to work with Lisa on the ordinances to have a clearer understanding for communicating to the rest of the Planning Commission.

Lisa stated that Larry changed all processes and wonders if anyone knows of any changes in State Law.

Commissioner Burke stated that 80% of our code is State Law and we had to upgrade it to State Law.

Chairman Riechel said there is a question right off the bat. What are current State recognized positions?

Commissioner Burke said that we need to have knowledge of Oregon State Code. We rely on this process. Once we get a draft, it goes to the City and when they are done with it, it then goes to the lawyers and hopefully at that point will find any suggested revisions of Oregon Codes or Statutes that have been introduced.

Lisa suggested that tasks could be organizing all of the 155 ordinances that have been written. Commissioner Henderson could review the Planning Commission recommendations with references to Larry's book.

Chairman Riechel has had one meeting where Larry was present. He asked Lisa if she felt that Larry's understanding of his job is that he was given the permission or a reason to read all through the documents and then ignore them and that he typed them the way he wanted them to be typed.

Chairman Riechel wants to read the Road Commission and Planning Commission recommendations to see if they fit into the book Larry Lewis distributed in November 2010.

Commissioner Martin asked, do we change the Comprehensive Plan, and implement Administrative Process in order to tie down how it is carried out?

Commissioner Burke does not believe we have to change the Comprehensive Plan. We have to do it through resolution and adopt our CIP. We have reference to a CIP but we have never had one before.

Commissioner Henderson is willing to go through the Planning Commission recommendations to cross-reference the differences.

Lisa will chase down what is currently preferred by the State. She will also compile ordinances relating to Chapter 155 for Commissioner Burke, after he returns from his vacation.

The Planning Commission discussed their assignments and who will be attending the next meeting. The Planning Commission discussed that three applications have been received.

No recommendations for next month's meeting agenda were presented.

The next Planning Commission meeting will be scheduled for April 12, 2011.

Chairman Riechel requested that Lisa find out what it is going to take to get this process done.

Commissioner Henderson made the motion to postpone March meeting until April 12, 2011 at 2 pm, due to a lack of a quorum. Commissioner Martin seconded the motion. The motion passed by unanimous vote.

11. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

12. ADJOURNMENT

There being no further business to come before the Planning Commission, Commissioner Burke made the motion to adjourn the meeting. Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

The meeting of the Dunes City Planning Commission adjourned at 3:59 pm.

APPROVED BY THE PLANNING COMMISSION ON THE 28th DAY OF APRIL 2011.

[Signed copy available at City Hall]

Lee Riechel, Planning Commission Chairman

ATTEST:

[Signed copy available at City Hall]

Lisa Ekelund, City Planner