



**PLANNING COMMISSION MEETING MINUTES ~ APPROVED
APRIL 28, 2011 AT 5:00 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 5:02 pm.

2. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

3. SWEARING IN OF NEW PLANNING COMMISSIONER

City Recorder Fred Hilden swore in Darlene Beckman as the newest Planning Commissioner.

4. ROLL CALL

Roll Call was taken by Planning Chairman Lee Riechel.

Present: Planning Chairman Lee Riechel, Planning Vice-Chairman George Burke, Commissioner Ken Henderson, Commissioner Norman Martin, Commissioner Darlene Beckman.

Absent: None.

Others Present: Temporary Administrative Assistant Dianne Burch.

5. APPROVAL OF THE AGENDA

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

6. CONSENT AGENDA

- Planning Commission Meeting Minutes from 02/24/2011
- Planning Commission Special Work Session Meeting Minutes from 03/08/2011
- Planning Commission Special Work Session Meeting Minutes from 04/12/2011

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

7. ANNOUNCEMENTS / CORRESPONDENCE / DISCUSSION

City Recorder Fred Hilden announced the resignation of Marilyn Miller.

8. CITIZEN INPUT - None

9. PUBLIC HEARING - None

10. NEW BUSINESS

- Ian Chun - Annexation Proposal

Ian Chun presented documents and materials regarding the property giving background information he received from Gary Darnielle (2005-2006) and information that their attorneys worked on looking at the Comprehensive Plan and Statewide Planning Goals.

Commissioner Martin interceded asking for clarification on what page Mr. Chun was discussing.

Mr. Chun stated that he is asking for an update on the Comprehensive Plan with a summary of the 50 acres that borders the City on two sides and asked the Planning Commission to consider this property as buildable lands. Mr. Chun stated that he is interested in donating riverfront property. He wants to build a home for his family on their own land. Mr. Chun stated that he is providing the Planning Commission with the basic overview and didn't bring a full package, that at this time he needs to know what the City requires in the steps and cost to meet those requirements. Mr. Chun said that he did receive a letter from Melissa Anderson with a breakdown process. She mentioned some steps that need to be taken, but Mr. Chun thinks some of those steps have already been met.

Chairman Riechel asked that, in the summary packet, which refers to Buildable Lands Inventory Analysis Introduction showing additional land needed, what number of lots in the inventory is being used?

Mr. Chun stated that an extensive study of the Comprehensive Plan regarding roads, septic, erosion, size of lots, requirements to lots have been addressed, showing six chunks of land that border the City. Mr. Chun stated that there might be other property owners that would want to be a part of the City.

Commissioner Beckman asked if Mr. Chun did in fact receive a letter from Planner Melissa Anderson dated April 25, 2011 and he stated that he had.

Chairman Riechel clarified that it wasn't letter, but 2 pages that Melissa Anderson provided which describes the Urban Growth Boundary (UGB) Amendments that includes the basic concepts of the preliminary research and analysis to consider the UGB amendment and the process.

Mr. Chun referred to the LCOG (1991) Buildable Lands UGB Analysis.

Chairman Riechel stated several items of information that he would need to have before taking this any further in the process of UGB expansion. What Melissa is coming up with is more open-

ended and reading more of the information that the next large hurdle is to get the County involved now.

Mr. Chun stated that his attorneys have determined the components needed and working with Lane County Planning Director Kent Howe on how the City needs to go through the process.

There is no conflict of interest regarding the DLCD within the hearings process with application fees and with documentation from Dunes City Council regarding expansion of the UGB.

Commissioner Burke stated that the City has to ask and prove they can show to the County they can be prepared for applying for expansion of the UGB.

Chairman Riechel stated that a proposal, but no application, with a statement and supportive evidence, indicating the precise manner in which the bridge crossing, liability, county roads, number of lots and the potential for 50 lots, needs to be considered. Where is the water going to come from? That's the responsibility of the City.

Mr. Chun stated that he has the Bridge Engineering Study and documentation. He has spoken with the County. He has tax lot 501 in place for forestry land. He has worked with the water engineers and has 4 artesian wells. He has 5 years of work that has been compiled. Mr. Chun wants to know if the layout is correct in the steps applicable to expand the UGB. Mr. Chun stated that he is not asking for a sub-division or a PUD at this time. With donating 1/4 mile of nearly 40 acres, that he is offering the City a sizable area for a park.

Commissioner Burke stated that changing the Comprehensive Plan is a lot of work.

Chairman Riechel stated that this isn't a short process. That DLCD is helpful for making changes.

Commissioner Burke stated that notification and research with DLCD is needed.

Chairman Riechel stated that Commissioner Martin has been talking about changes to Goal 1. Perhaps this is a time to include this in the planning.

Mr. Chun stated that is what would be addressed and that there are only two pages of Comp Plan regarding the available lands. An approved document is there and shouldn't be difficult to complete. We don't expect the city to pay for the water, etc. The biggest thing the city needs to do is provide the evidence of the quality of the land.

Commissioner Martin remarked to Mr. Chun, you obviously have done a lot of work and anything that comes to the Planning Commission will go to the City Council, referencing the State Statutes that the Land Use Attorneys have compiled.

Mr. Chun stated that he feels he has presented a generous offer to the City. He is asking the Planning Commission to follow up and consider what's on the books. Is this something the City wants?

Commissioner Henderson asked about the history of the property. He asked how long it had been owned by the Chun family.

Mr. Chun stated that his father bought the property in 1986 after being involved in a construction accident.

Commissioner Martin stated that he would be looking to see if this is buildable land and does it meet the requirements for the size of Dunes City, under 2500 people, and doesn't that have something to do with the ruling of the appeals court?

Commissioner Beckman asked, if the Comprehensive Plan needs to be updated, why not go ahead and get that done and if there is any room for additional, buildable land, is there any reason, if the rules are followed, not to go down that road?

Chairman Riechel stated that he likes to think the Planning Commission determines what information we have and what can be done, then we send this to the City Council with our recommendation, making sure all of the technical requirements have been met, before going to the County and State.

Commissioner Burke stated that he would prefer to have the City Council say yes or no to see if they are willing to go to the UGB Expansion, before going through the time and expense. He stated if it were him, he would go the City Council, asking for a resolution. He is perfectly willing to go through the exercise, but not until the City is willing to look at the UGB expansion.

Mr. Chun stated that updating the Comp Plan needs to be done. I don't want to shell out a lot of money for an uncertainty.

Commissioner Burke stated that the City of Eugene is going through the process right now to determine how many acres of buildable land they want to open up for the 20 year growth plan and the City needs to make that decision first. No one has yet applied, waiting to see what the City plans to do.

Mr. Chun stated, the Comp Plan needs to be updated and feels they have a well-defined plan of land inventory and a proposal to present. He stated that it would be in the City's best interest to address this. The last study was done in 2005 and already now 6 years into the 20 year plan. Mr. Chun asked, what is the process for communicating with the City Council? I thought I started with the Planning Commission. What does the Planning Commission want?

Commissioner Burke stated that the City needs to determine what steps and what they want to agree to doing and if it were his money, he would go to the City Council.

Chairman Riechel suggested that they should write a memo to the City Council from the Planning Commission, noting the discrepancy in the Comp Plan and have Staff prepare this memo.

Commissioner Martin asked do we have to go to the City Council and point out that there's a controversy in the Comp Plan Survey and numbers that need to be addressed and what would they advise.

Commissioner Beckman stated that in the memo, is it as simple as including the updated Buildable Lands Inventory Survey and at the same time, ask if they are willing to expand the UGB.

Chairman Riechel stated that we certainly could recommend that there be an update to the existing Comp Plan Buildable Lands Inventory. The Comp Plan should say nothing other than the latest buildable lands inventory, with a caveat stating that this is updated at a 10-year interval and perhaps is just a housekeeping piece of the current plan.

Chairman Riechel stated that the Planning Commission is going to want to look at the engineering data.

Mr. Chun stated that I have all of that information, but waiting for the steps of the process. "I want to know if this is something the City wants? If they do, I'm willing to do it."

Chairman Riechel stated that he wants to send a memo to the City Council to update the Buildable Lands Inventory.

Commissioner Martin made a motion to send a memo to the City Council to determine if the UGB will be expanded for the following reasons, with points outlined by the Planning Commission. Commissioner Beckman seconded the motion for discussion.

Discussion continued with the Commissioners determining the best way to present a memo to the City Council regarding the Buildable Lands Inventory to be included, and once the inventory is accepted, putting high priority on amending the Comp Plan with Buildable Lands Inventory.

Mr. Chun stated that he would like to see 2 motions, looking at pages 55 & 56 of the Comp Plan to reflect the most recent Buildable Lands Inventory.

Chairman Riechel stated that a Planning Commissioner and Mr. Chun could work on the memo.

Commissioner Burke stated that the City needs to make a policy of whether they will accept the remedy offered in the memo.

Commissioner Burke stated that the request should be to increase the priority of the Buildable Lands Inventory in the Comp Plan and the UGB Expansion and 2005 Buildable Lands Inventory, to look at the code review and to refer to the Land Use Section 155 and include in writing the priorities.

Mr. Chun asked if the memo to the City Council will ask what the Planning Commission wants them to do in their request to the City Council.

Commissioner Beckman made a motion amending the earlier motion to read that the Planning Commission will send a request to the City Council to assign a high priority on modifying the Comp Plan, pages 55 & 56 to reflect the 2005 Buildable Lands Inventory. Commissioner Burke seconded the motion. The motion passed by unanimous vote.

- Shoreland Vegetation Removal Permit Application 19-12-22-10-01600 (4934 Lakeshore Drive)

Chairman Riechel asked if everyone had a chance to read the report and all replied yes.

Commissioner Henderson stated that he sits with home owner, Mark Chandler on the Water Quality Committee. Mr. Chandler is Dunes City's chief water tester and has extensive knowledge of the regulations and provisions regarding the riparian zone.

Chairman Riechel stated that the tree is a danger tree and looking at the base of the tree where you can see a couple of water lines it isn't appropriate to leave remaining. The second tree is next to the house is split and rotting. Referring to the photos, tree #1 shows signs of leaning.

Commissioner Burke made a motion to accept the recommendation to remove 2 trees and replace with vegetation management. Commissioner Henderson seconded the motion. The motion passed by unanimous vote.

11. UNFINISHED / OLD BUSINESS

- Continuation of Chapter 155 Code Revision Review

Assignments were discussed:

155.3 is open (Marilyn Miller resigned)

155.2 - Commissioner Beckman will work with Chairman Riechel

Chairman Riechel stated that rather than changing minutes to reflect changes in assignments to add a note Assignments for Review: Section 155.

Assignments were:

155.1 - Commissioner Henderson

155.2 - Chairman Riechel/Commissioner Beckman

155.3 - open

155.4 - Commissioner Burke

155.5 - Commissioner Martin

Commissioner Burke discussed the Red Book and through his hours of reading through the proposed amendments of 155 he proposed that they keep the same assignments and identify what is agreed on in 155 and determine what needs to be reviewed. At the next work session go through the Red Book and by yea/nay review each section of suggested changes. He would like to go through the whole book and get it done so that they have an updated document to work from and then do away with the Red Book.

The Commissioners discussed further how to go about making the changes using the work document, indicating in red, then go to each section to get it updated and cleaned up. The Commissioners agreed to this process and think it will work well with red lining and getting to all of the bits and pieces in the Red Book from Larry Lewis. Commissioner Burke stated that it took him about 45 minutes to go through the Red Book.

Commissioner Beckman added to go back to the Red Book and review, change, add or delete, then the only thing left is the changed document, showing the changes.

Chairman Riechel stated that the changes for 155 need to be compared. We need a fresh document.

Commissioner Beckman asked how we go back into the current 155. I just want to end up with 1 document. Look at the Word document of 155.

12. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Commissioner Martin addressed the subject of going to Citizen Involvement Administrative Rule (Goal 1) and look at the procedures, step, by step and same with the Comp Plan Policy. He referred to the modification to the Comp Plan, which is identified in bold (referring to the February 22nd document).

Commissioner Henderson asked does this meet State requirements with the recommendation to be sent on to the City Council.

Chairman Riechel stated yes it would be under the modification of the resolution.

Commissioner Martin made a motion to recommend to the City Council to adopt the CIP (Citizens Involvement Program). Commissioner Beckman seconded. The motion passed by unanimous vote.

13. ADJOURNMENT

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

APPROVED BY THE PLANNING COMMISSION ON THE 23RD DAY OF JUNE, 2011.

[Signed copy available at Dunes City Hall]
Lee Riechel, Planning Commission Chairman

ATTEST:

[Signed copy available at Dunes City Hall]
Fred Hilden, City Recorder