



**PLANNING COMMISSION MEETING MINUTES ~ APPROVED  
REGULAR SESSION SEPTEMBER 26, 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](http://www.DunesCity.gov)

**1. CALL TO ORDER**

Chair Rapunzel Oberholtzer called the Thursday, September 26, 2024 Regular Session of the Dunes City Planning Commission meeting to order at 6:02 p.m.

**2. ROLL CALL**

City Administrator/Recorder Lila Timmons called the roll.

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

**Also Present:** City Administrator Lila Timmons 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 asked if any of the Commissioners had any questions or comments regarding the Agenda as presented. There were none.

Vice Chair Ken Pesnell made a motion to approve the agenda. Commissioner Jamie Gorder seconded the motion. The motion passed unanimously.

City Administrator Lila Timmons stated that there was a correction in the staff report for the Public Hearing. The correction is on page 8 in number 1 it states the "combined lots" when it should only be "lots".

**5. CONSIDERATION OF THE CONSENT AGENDA**

Chair Rapunzel Oberholtzer asked if there were any questions or comments. Vice Chair Ken Pesnell stated that a correction was needed on page 2 in paragraph 2 where it indicates that Rapunzel Oberholtzer was representing the Planning Commission when she was representing

herself.

Chair Rapunzel Oberholtzer requested a change be made on page 4, third line, where the page number is stated to be 183 and it should state 184.

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

Commissioner Sean Grundon seconded the motion. The motion passed unanimously.

## **6. ANNOUNCEMENTS / CORRESPONDENCE**

- A. City Council Work Session minutes from September 4, 2024 meeting
- B. City Council Special Session minutes from August 21, 2024 meeting
- C. Permit Report from August 15, 2024 to September 14, 2024

City Administrator, Lila Timmons stated that the Department of Land Conservation and Development (DLCD) is having the 2024 Fall Coastal Planners Network Meeting virtually on November 6, 2024. City Administrator, Lila Timmons will forward the information to all Planning Commissioners.

City Administrator, Lila Timmons also stated that she had asked the Marine Board about the requirement of boathouses to be numbered so that they can be identified from the Lakes. Vice Chair Ken Pesnell asked what the ramifications were if the boathouses remain unnumbered. City Administrator, Lila Timmons, stated she would ask the Marine Board.

## **7. CITIZEN INPUT**

Jeanne Jackson expressed her desire for the meeting format to be changed so that the public can be more engaged.

## **8. PUBLIC HEARING**

Chair Rapunzel Oberholtzer read from the script for a Type III Quasi-Judicial for a Conditional Use Permit. Chair Rapunzel Oberholtzer asked if any member of the public felt that any of the Commissioners had a conflict of interest. There were none.

Chair Rapunzel Oberholtzer asked the Commissioners if any of them felt they had a conflict of interest. There were none.

Chair Rapunzel Oberholtzer opened the Public Hearing at 6:19 pm.

Chair Rapunzel Oberholtzer asked if any member of the public wanted to testify for or against the Conditional Use Permit. There were none.

Mr. Rob Ward presented a google map of the two lots and explained to the Commissioners the proposed new lot line.

Chair Rapunzel Oberholtzer closed the Public Hearing at 6:26 pm.

## **9. NEW BUSINESS**

- A. Deliberation and Decision/CUP Application

Chair Rapunzel Oberholtzer asked the Commissioners if there needed to be any further discussion.

Vice Chair Ken Pesnell made a motion to recommend to the City Council the conditional use permit as amended.

Commissioner Gail Nichols seconded the motion.

The motion passed unanimously.

**B. Schedule Next Planning Commission Meeting.**

Chair Rapunzel Oberholtzer stated that the Planning Commission was almost through Chapter 155 and would like to have it finished by the end of this year.

The next scheduled Planning Commission Meeting will be on October 24, 2024 at 6pm.

The Commissioners decided to have special sessions on the 7<sup>th</sup> and 21<sup>st</sup> of November, 2024 and December 12, 2024 at 6 pm.

**10. UNFINISHED/OLD BUSINESS**

**A. Chapter 155 Remand from City Council (Continued)**

Follow up on Citizen Comment

Chair Rapunzel Oberholtzer presented a memo discussing the 120-day rule time computations and about testifying in a public hearing.

Chair Rapunzel Oberholtzer asked the Commissioners to go to page 141 and the section of Time Computation. The Commissioners stated that in paragraph A, where it says “unless additional time is allowed consistent with state law” should be changed to “unless the applicant requests an extension in writing in compliance with ORS 227.178.

Chair Rapunzel Oberholtzer also recommended that the first sentence in the 120-day rule should read, “The City shall take final action on Type II and Type III applications within 120 days from the date the application is deemed complete, including resolution of all local appeals unless...”

Chair Rapunzel Oberholtzer recommended to reinstate that the 120-day rule does not apply to Type IV legislative decisions.

Vice Chair Ken Pesnell suggested that the exceptions in ORS 227.178 should be evaluated and taken into consideration.

Chair Rapunzel Oberholtzer recommended that paragraph B be replaced with the Model Code with the definition of days.

All Commissioners agreed to the above changes.

Chair Rapunzel Oberholtzer asked the Commissioners to go to page 157. She further suggested that in line b(2) after address to add a new sentence, “Anyone who wishes to be notified of a continuance, appeal, or other action on this application must provide a mailing address on the Request for Recognition speaker form. The City will be unable to provide additional information about the application or notice of the final decision if no mailing address is provided.” The Commissioners agreed.

Chair Rapunzel Oberholtzer stated that the same changes should be made on page 164 in (C)(1)(b)(2). The Commissioners agreed.

Chair Rapunzel Oberholtzer moved onto page 190 and stated that this page had been looked at and evaluated by the City Attorney.

Chair Rapunzel Oberholtzer stated that there no staff or public comments on pages 191, 192, 193, or 194.

Chair Rapunzel Oberholtzer asked if she could bring back an idea for page 195 next month regarding multi-family housing. The Commissioners agreed.

Chair Rapunzel Oberholtzer stated that there were no staff or public comments on pages 196-199.

Chair Rapunzel Oberholtzer stated that the PUD section had been gone over and changed around by the City Attorney. She further stated that there were no public or staff comments on pages 200-216.

Chair Rapunzel Oberholtzer stated that pages 217-221 allow a process to modify already approved plans and the City Attorney had gone through this section. She further stated that there were no public or staff comments.

Chair Rapunzel Oberholtzer stated that on pages 221 and 222, the City Attorney had cleaned up this section about use of our Zone Map.

Chair Rapunzel Oberholtzer stated that pages 223 and 224 were deleted by the City Attorney and the Planning Commission.

Chair Rapunzel Oberholtzer stated that page 225 about Code Amendments were written by the City Attorney.

Chair Rapunzel Oberholtzer stated that pages 226-231 were created by the Planning Commission to clarify various miscellaneous permits.

Chair Rapunzel Oberholtzer suggested that the sentence regarding manufactured homes not being eligible for temporary occupancy permits to be deleted. The Commissioners agreed.

Chair Rapunzel Oberholtzer stated that there were no public or staff comments on page 232.

Chair Rapunzel Oberholtzer stated that pages 233-243 were reviewed by the Attorney.

Chair Rapunzel Oberholtzer stated that the review would start on page 244 at the next meeting.

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

Chair Rapunzel Oberholtzer stated that Commissioner Sean Grundon's term expires in January of 2025 and asked if Mr. Grundon would like to put in another application.

Commissioner Sean Grundon stated that he would put in another application.

## **12. ADJOURNMENT**

Commissioner Sean Grundon made a motion to adjourn the meeting. Commissioner Jamie Gorder seconded the motion. The motion passed unanimously.

Chair Rapunzel Oberholtzer adjourned the meeting at 7:34 pm.

**APPROVED BY THE DUNES CITY PLANNING COMMISSION ON THE 24th DAY OF  
OCTOBER, 2024.**

[Signature On File]

---

Rapunzel Oberholtzer, Planning Commission Chair

ATTEST:

[Signature On File]

---

Lila Timmons, City Administrator/Recorder