

## Gearhart Planning Commission Minutes for December 11, 2025

MEMBERS: Virginia Dideum, Russ Taggard, Don Frank, Eric Halperin, Emerson Fisher, John Mesberg, and Jennifer Grey

STAFF: Chad Sweet, Garrett Phillips, and Angoleana Torres

### Minutes

The regular meeting of the Gearhart Planning Commission for Thursday, December 11, 2025, was called to order at 6:00 p.m. by President Virginia Dideum. *All Members and staff were present except Taggard who was excused.*

### COMISSIONER EXCUSED

On MOTION by Fisher, 2nd by Halperin, to excuse Taggard from this meeting.

6 - Approved (Dideum, Frank, Mesberg, Halperin, Grey, Fisher)

0-Opposed

### CONSENT AGENDA

On MOTION by Halperin, 2nd by Grey, the consent agenda was approved as presented with corrections to the minutes. Said agenda approved Minutes for October 9, 2025, financial report for November 24, 2025.

6 - Approved (Dideum, Frank, Mesberg, Grey, Halperin, Fisher)

0-Opposed

### STAFF REPORT

Phillips provided several updates, noting that staff is working to schedule a January presentation for the planning commission by a DLCD Coastal Shoreland and Goal 18 specialist regarding newly developed dune hazard data produced in coordination with DOGAMI, along with a model Goal 18 zoning ordinance that may inform future review of the city's Goal 18 provisions. Phillips also reported that city council has adopted, following a second reading, amendments to the floodplain development ordinance implementing Endangered Species Act pre-implementation compliance measures, which are now in effect, and staff will continue to monitor any further FEMA guidance. In addition, Phillips acknowledged ongoing public concern and inquiries regarding a fence constructed west of the end of 13th Street, explaining that staff, in coordination with DLCD, has reviewed zoning regulations, plats, easements, and surveys and determined that fences are not prohibited in that area, the property appears to be privately owned, the site is not identified as a Goal 17 public access site nor included in the state's public access inventory, and there is no zoning mechanism requiring a permit for the fence. Phillips noted that staff is continuing to research older property transfers and deeds that could potentially affect

ownership and will provide further updates as more information becomes available. He concluded with informing the commission that pickleball-related matters would be discussed later in the meeting.

#### COMMISSIONERS REPORT - None

#### VISITORS COMMENTS - None

#### PUBLIC HEARINGS

Dideum opened the public hearing at 6:10 pm, on File #25-1OCU/V - Conditional Use and Variance request for property located at 1157 N Marion Avenue, further described as Assessors Plat 610030000100. The request is to add one four-bedroom suite to an existing hotel conditional use in the Resort Commercial C-2 Zone, and to provide up to ten fewer parking spaces than required.

Dideum read the hearing disclosure and asked if any commissioners need to declare a conflict of interest in ex parte contact or personal bias. - Commissioners Frank, Halperin, Fisher, Grey and Dideum visited the site. - No conflicts.

Dideum asked the audience if there were any concerns or challenges regarding the commission's ability to render an impartial decision. - No Challenges.

Phillips explained that the application is a request for a revised conditional use permit because hotels are conditional uses in the C-2 zone and any expansion of hotel use requires a new review of the applicable criteria. He outlined the site's approval history, noting a 2011 conditional use permit for 21 hotel rooms in the main building and a 2017 permit expanding hotel use into another building, and stated that, given the passage of time, it was appropriate to return to the planning commission for a comprehensive review. Phillips emphasized that the current proposal involves an interior conversion of existing office space to hotel use, with no exterior expansion, additions, or changes to access, and that staff did not identify transportation or traffic impacts requiring further analysis.

Phillips identified parking as the primary issue in staff's review, explaining that there are unresolved questions regarding vehicle parking calculations, bicycle parking requirements that are dependent on vehicle parking totals, and potential impacts to nearby properties. He noted that staff initially noticed a parking variance hearing due to difficulty interpreting the applicant's calculations and that new information submitted by the applicant, along with public testimony alleging off-site parking impacts, warrants closer examination. Phillips stated that while the proposal generally appears capable of meeting the conditional use criteria, the parking analysis requires further clarification, including how different areas of the building are classified by use, and he suggested that a continuance would allow time for additional review and public response.

Phillips summarized staff's evaluation of the conditional use criteria, indicating that the proposal appears consistent with the comprehensive plan, does not raise traffic, utility, environmental, or site constraint concerns, and demonstrates demand for the use. He acknowledged limited comprehensive plan policies discouraging tourism-oriented development but stated that the addition of a single hotel room does not constitute a major tourist facility. Phillips noted that criteria related to minimizing impacts on surrounding properties and adequate site design remain closely tied to the parking discussion and should be carefully considered based on testimony. He concluded that staff is not prepared to recommend approval at this time and supports continuing the hearing to allow further analysis, applicant revisions, and preparation of an updated staff report.

#### APPLICANTS TESTIMONY

Jason Bangild, 1327 Bailey Ln, Gearhart, OR. 97138 - General Manager here at Gearhart Golf Links, his role in the process was to be transparent and responsive to the issues raised in the staff report, particularly regarding parking, DEQ requirements, and bicycle parking. He explained that he personally walked the site to prepare the parking analysis provided to the commission at the beginning of the meeting, identifying a total of 133 parking spaces, including designated spaces and overflow parking near the maintenance building. Bangild stated that the site has ample capacity to accommodate additional bicycle parking, noting multiple locations around the building where additional bike racks could be installed if required. He also addressed DEQ concerns by summarizing information from the site's septic system monitoring provider, which indicated that the existing treatment system is operating well below its maximum design capacity and could feasibly accommodate the proposed four-bedroom suite. Bangild concluded by reiterating that parking calculations had been provided, that utility capacity appeared sufficient, and by introducing the project architect to present additional technical details related to parking.

George Signori, 5405 NE Tillamook Street, Portland, OR. 97213 - He is with Ankrom Moisen Architects and has been involved with the project since the 2011 and 2017 conditional use approvals, as well as the current application. He explained that the parking analysis relied on the methodology reflected in the staff report and prior approvals, noting that the 2017 conditional use determination concluded that 125 parking spaces were required for the overall site. Signori stated that the applicant's approach focused on the interior space being vacated, which had been used as office space, and comparing the parking demand for that existing use to the parking demand associated with converting the area into a golf suite. Using the parking ratios established in the zoning code, he explained that this comparison results in a net reduction in required parking, concluding that the proposed change of use would require seven fewer parking spaces than the previous office use and therefore does not increase parking demand.

The commission questioned the applicant about how parking requirements were recalculated when former office space, previously calculated at 11 required spaces, was proposed to be replaced with a four-bedroom rental suite. Commissioners expressed concern that a four-bedroom suite could reasonably generate demand for more than the two parking spaces calculated by the applicant, noting that vacation

rentals are often evaluated based on bedrooms rather than as a single unit. In response, George Signori explained that the zoning code defines parking requirements per "accommodation," not per bedroom, and that he applied the code accordingly by calculating 1.5 spaces per accommodation and rounding up to two spaces. He acknowledged that while a higher demand could be assumed in practice, the code-driven calculation still results in a net reduction of required parking when compared to the former office use.

Commissioners also sought clarification on discrepancies in the total number of parking spaces cited in various documents. Jason Bangild explained that the difference resulted from updated counts and the inclusion of overflow parking at the maintenance building, bringing the total to approximately 133 spaces. Additional questions addressed how office parking was originally calculated, to which George Signori responded that the zoning code formula is based on square footage plus employee count, rather than actual historical usage alone. The commission further inquired about peak-season employee parking and use of the maintenance lot. Bangild stated that even during peak summer operations, only a portion of the maintenance and golf staff use that lot, with a maximum of roughly eight to nine spaces occupied. Overall, the applicant maintained that, under the zoning code and updated site information, the project does not increase parking demand and continues to meet or exceed required parking availability.

Proponents: None

Opponents: None

Neutral: None

Dideum closed the public hearing at 6:56 pm.

During commission deliberations, members focused primarily on parking adequacy, parking methodology, and bicycle parking requirements, directing questions to both Phillips and the applicant and representative, Jason Bangild and George Signori. Phillips advised that the commission could either continue the hearing for additional review or proceed with a decision, explaining that final findings would need to clearly establish the required parking count, the existing number of spaces, and the applicable bicycle parking ratio. He confirmed that 125 parking spaces were required under the 2017 conditional use permit and explained that any current analysis should either rely on that approval as the baseline and account only for changes since 2017, or alternatively perform a full "bottom-up" recalculation based on existing uses. Commissioners questioned whether parking previously associated with office space should be subtracted from the total, to which Phillips responded that the 2017 permit did not separately calculate office parking and that subtracting it could be problematic, though a full recalculation could potentially result in a lower overall requirement.

Several commissioners expressed that, based on testimony and their own observations, the site appears to functionally meet parking needs, emphasizing the importance of avoiding additional impervious surfaces and noting that occasional congestion during peak events is an operational issue rather than a zoning compliance deficiency. Questions were raised regarding condo parking conflicts, signage, and

enforcement, with Bangild responding that parking complaints are not unique to this use and that signage is already in place in some areas. The commission also asked about restaurant expansion, hotel check-in operations, and employee parking. Bangild confirmed the restaurant has not expanded and that hotel check-in occurs inside the main building, while Phillips clarified that one office manager parking space was already included in the 2017 calculation. Discussion then shifted to bicycle parking, with commissioners debating how the site should be classified for purposes of applying the parking ratio. Phillips recommended treating the site as mixed commercial and applying the one-to-ten vehicle-to-bicycle parking ratio, noting that certain uses, including golf, generate limited bicycle demand and that modest additions to existing bike racks would significantly increase capacity. Overall, the commission indicated general comfort with moving forward, subject to clear and defensible findings related to parking and bicycle parking standards.

On MOTION by Frank, 2nd by Grey, to approve the application with the recommended conditions as outlined in the staff report.

The commission discussed the procedural options outlined by Phillips, noting that they could continue the hearing, approve the application with the recommended conditions, or deny the application. Commissioners focused their questions on recommended condition 2 related to parking, particularly whether an additional parking plan was still necessary and how establishing a parking number could affect future applications. In response, Phillips explained that updated parking plans submitted by the applicant, prepared by George Signori and supported by Jason Bangild's testimony, were already part of the record, and that if the commission was satisfied with those materials, no additional parking plan would be required. He cautioned, however, that the commission should be clear in its decision whether it was establishing a required parking baseline of 122 spaces or 133 spaces, noting that the absence of a clear number would require any future application to conduct a full bottom-up parking analysis.

Following the initial motion, the commission expressed concern about unintentionally setting precedent through recommended condition 2 and discussed options to either remove the condition, retain it as written, or amend it to reflect a specific parking total. Phillips clarified that establishing a specific number would provide clarity for enforcement and future review, whereas removing the condition would leave no parking baseline in the record.

(Amendment): On MOTION by Fisher, 2nd by Halperin, to amend the motion to a 133.

6 - Approved (Dideum, Mesberg, Grey, Halperin, Frank, Fisher)

0-Opposed

The commission discussed bicycle parking requirements, agreeing that the site should be classified under the "other" category for bicycle parking purposes and that the applicable ratio of one bicycle space per ten vehicle spaces should apply. Commissioners agreed not to specify the exact number or placement of bicycle racks, allowing flexibility so long as the ratio is met.

(Amendment of Amendment): On MOTION by Mesberg, 2nd by Halperin, to modify the language of recommended condition 2 to the following: "The applicant shall maintain a minimum of 133 vehicle parking spaces."

As discussion continued, commissioners questioned why the parking analysis relied on a total of 133 spaces rather than the previously referenced figures of 122 or 125 spaces. Phillips explained that the 2017 conditional use permit established a requirement of 125 vehicle parking spaces for the site and that this figure serves as the most recent approved baseline. He further explained that the proposed conversion of former office space to a four-bedroom rental suite required a new parking calculation under the current zoning code, which applies specific parking ratios based on use. When those ratios were applied to the proposed suite and the existing commercial uses on the site, the resulting calculation produced a total requirement of 133 vehicle parking spaces. Phillips noted that this approach did not rely on prior variances or informal assumptions but instead applied the zoning code standards to the current proposal, providing a clear and defensible parking requirement for both enforcement purposes and future land use review.

5 - Approved (Mesberg, Grey, Halperin, Frank, Fisher)  
1-Dideum

The intent was clarified regarding bicycle parking requirements, confirming that the site should be classified under the "other" category and that the applicable standard is one bicycle parking space for every ten vehicle parking spaces. Commissioners discussed that, based on 133 vehicle spaces, this would result in approximately 14 bicycle spaces, but emphasized that the commission did not need to specify the exact number, size, or configuration of bicycle racks. Instead, the requirement would be stated as a ratio, allowing the applicant flexibility in how bicycle parking is provided, so long as the standard is met. After confirming this understanding, the commission returned to the original motion, then voted in favor of the amended motion and approved the application with the revised condition 2, concluding that the parking and bicycle parking issues had been adequately addressed and that the record contained sufficient findings to support approval.

The commission voted to approve the application with recommended condition 2 amended to state that the applicant shall maintain a minimum of 133 vehicle parking spaces.

All those in favor of the original motion with the amended condition 2.  
6 - Approved (Dideum, Mesberg, Grey, Halperin, Frank, Fisher)  
0-Opposed

## UNFINISHED BUSINESS

Phillips provided a summary update on unfinished business related to pickleball regulation, outlining staff's work since the October hearing on proposed zoning ordinance amendments that would have broadly prohibited pickleball within the city. He noted that the hearing generated substantial public testimony opposing the proposal, including concerns that the approach was overly restrictive for Gearhart, raised technical issues related to definitions and enforceability, and distinguished between indoor and outdoor pickleball activity. In response, staff drafted revised amendments that would allow pickleball as a conditional use throughout most of the city rather than a prohibited use; however, Phillips explained that staff encountered ongoing difficulties defining "pickleball" in a manner that is clear, unique, and enforceable, given similarities to other paddle and racquet sports with comparable court dimensions. He emphasized that enforcement would likely still require staff to observe or record activity

on private property, raising the same administrative and practical challenges previously identified when considering reliance on the nuisance noise ordinance. Phillips outlined three potential paths forward, proceeding with a hearing on the revised amendments, continuing staff work to refine enforceable definitions, or pausing the zoning amendment effort indefinitely and relying on the existing nuisance noise ordinance for enforcement. He concluded by stating that staff's current tentative recommendation was the third option, citing workload prioritization and unresolved enforcement challenges, and requested direction from the planning commission.

After considerable reflection and review of the correspondence and testimony, it was expressed that there is discomfort with the commission acting as an arbiter of activities occurring on private property through zoning regulations. While the city's role in enforcing generally applicable regulations, such as the noise ordinance, is appropriate, regulating pickleball through zoning was seen as extending beyond land use into activity regulation. It was recommended to place the proposed zoning amendments on an indefinite pause, noting that the issue originated from a single neighborhood complaint and that staff resources could be better used elsewhere. Other commissioners agreed, emphasizing that pickleball involves activity-based concerns rather than land use issues, that defining and enforcing such activity through zoning is problematic, and that reliance on the existing nuisance noise ordinance is more appropriate. President Dideum summarized the consensus, noting the limited scope of pickleball use in the community and the challenges of regulating private courts, and requested a formal motion to pause the zoning amendment indefinitely in an effort to record the commission's decision.

On MOTION by Grey, 2nd by Fisher, to adopt option 3 (to stop the pickleball zoning amendment project with the expectation that staff will be responsive to requests to administer the nuisance noise ordinance with respect to pickleball).

6 - Approved (Dideum, Mesberg, Grey, Halperin, Frank, Fisher)

0-Opposed

NEW BUSINESS - None

INFORMATION / DISCUSSION - None

CONCERNS OF THE COMMISSION

Mesberg expressed concern that the budget is currently overextended, running at approximately 40% of the annual allocation even though only one-third of the year has passed. It was noted that this exceeds the expected pace of 33%, signaling a need to monitor spending more closely going forward.

Frank inquired about a potential presentation from DLCD next month, but it was noted that the details are still being determined.

Pillips noted that the timing of the DLCD presentation is still being organized, with January or February as possible options.

Frank emphasized the need for a clear explanation of planning boundaries and restrictions, such as the urban growth boundary, the Palmer line, the beach build line, and the no-build line, so that both the commission and the community understand them.

QUESTIONS FOR LAND USE ATTORNEY - None

The meeting was adjourned at 8:47 p.m.

Angoleana T 1/9/2024  
Angoleana R. Torres, Planning Assistant

Virginia Dideum  
Virginia Dideum, Commission President