

March 9, 2017

MEMBERS: Carl Anderson, Jeremy Davis, Virginia Dideum, Terry Graff, Richard Owsley and Russ Taggard

Staff: Chad Sweet

### Minutes

The regular meeting of the Gearhart Planning Commission for March 9, 2017 was called to order at 6 pm by President Virginia Dideum.

On **MOTION** by Anderson, 2<sup>nd</sup> by Owsley, Commissioner David Smith was unanimously given an excused absence from the March 9, 2017 commission meeting.

On **MOTION** by Anderson, 2<sup>nd</sup> by Owsley, the minutes of January 12, 2017 were unanimously approved.

The financial report of February 28, 2017 was as follows:

#### Planning Commission Expenses

Year to date	5893.84
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Balance	2606.16
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#### Planning Commission Secretary Expenses

Year to date	18,355.65
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Balance	11,644.35
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On **MOTION** by Taggard, 2<sup>nd</sup> by Owsley, the financial report of February 28, 2017 was unanimously approved.

#### STAFF REPORTS

Sweet reported the ethics reports (OGEC) will be sending out reports via email on March 15<sup>th</sup>. Reports are now prepared on line and must be completed around mid-April.

LUBA appeal. Both sides have agreed on the record, the next step is to schedule the briefs.

Fire Station Town Hall. Is scheduled for Tuesday, March 14<sup>th</sup> @ 6:30pm at the fire hall.

Short Term Vacation Rentals. Staff has completed approximately 15 inspections including re-inspections, DEQ has been overwhelmed with requests. The process must be completed by June 14<sup>th</sup> or the permit evaporates.

Initiative Petition The city has received an initiative petition to repeal and replace the Short Term Rental ordinance. Petitioners were Joy Sigler, Brian Sigler and Sarah Nebeker; they have provided the city with a new ordinance. Once the constitutionality has been determined the petitioners can begin collection signatures. They have 2 years to collect signatures and put it on the ballot.

Transient Room Tax year to date is up \$89,000 over last year, associated fees that did not exist before are up over \$64,000 and expenses up \$50,000 mostly for attorney's fees, staff time and software program. There have been 85 applicants who have applied for permits.

#### COMMISSIONERS REPORTS

Dideum noted from now on all persons speaking before the commission regardless of the subject will be required to sign in and give their mailing address.

By consensus from now on commissioners will only receive new minutes not approved associated documents in monthly packets.

#### GOALS LIST

Discussion followed on Comprehensive Plan update, it was noted the process was about half complete.

#### CORRESPONDENCE

Stanley Gott, Shamrock Pines HOA

Against the proposed northerly extension of Pine Ridge Drive

Sweet clarified the correspondence was prompted by discussion in the Transportation System Plan process and connectivity, Shamrock Pines going through the Frazer property to Highlands Drive. The Shamrock homeowners felt the road was not capable of handling all of the traffic. The city has since found the road was never deeded to the city and is in ownership of Shamrock Pines HOA.

#### VISITORS COMMENTS NOT RELATED TO AGENDA ITEMS

None

#### PUBLIC HEARINGS

None

#### OLD BUSINESS

Dune Vegetation Discussion followed on commissioners accepting public comments on the matter since this is not a public hearing. On **MOTION** by Davis, 2<sup>nd</sup> by Taggard, the commission will accept brief comments. Motion approved 4-2. Anderson – nay, Owsley – nay.

Sweet reviewed the history of discussion of managing dune vegetation in the Beaches and Dune Overlay District. Due to the many varied opinions Councilor Kerry Smith is starting a citizens committee along with experts to work through the issue of managing dune vegetation. Following council discussion this is a simple amendment to take care of 1) removing noxious weeds and 2) create a safety zone along the Neacoxie Blvd ROW and on both sides of the fire road. Sweet has worked with Oregon Department of Agriculture developing a noxious weeds list; the list does not contain any trees. He worked with Chief Eddy and the Department of Forestry to develop language to incorporate into safety buffer amendment.

Discussion followed on width of the safety buffer. Sweet noted the language was ambiguous and needs to be clarified.

Public comments were taken.

Margaret Green, P O Box 2597, Gearhart –felt animal habitat has been overlooked and should be studied and the impact determined when making any changes in the dunes. The window for work in the dunes is October to March; she feels the proposed amendment is premature and no action should be taken until the study group has presented their findings and recommendations.

John Green, P O Box 2597, Gearhart – he is concerned about the width of the road and stated it is also a trail and the same results can be achieved by thinning and liming the trees without destroying the environment. The amendment should include reference to the bird nesting season and include the method of weed removal. He felt the process could benefit from a larger study.

Jim Furnish, P O Box 2013, Gearhart – asked about mowing and planting dune grass and asked if it was still on the table. He did not think the vegetation was a problem; it is a good habitat for the animals and does not need to be fixed.

Sharon Kloepfer, P O Box 2512, Gearhart – making reference to the Schultz letter she is hoping the commission will consider his comments for the overall management of the dunes. She also has concerns about the use of pesticides for weed control.

Darin Chrysalfs, Seaside – she is concerned about dune vegetation and asked how many dangerous dune fires there are each year.

Sweet stated dune fires have been manageable but have the potential of getting out of control, fire season is primarily September – October. One of the larger fires was 4 to 5 acres started by fireworks.

NEW BUSINESS

None

CONCERNS OF THE COMMISSION

None

QUESTIONS FOR LAND USE ATTORNEY

Sweet reported on ‘questions for the land use attorney’ from the February commission meeting regarding meeting variance criteria. The attorney reported all 4 criteria must be met confirmed by “and” at the end of each criterion.

There were no other questions for the attorney.

On **MOTION** by Anderson, 2<sup>nd</sup> by Owsley, the meeting was adjourned at 6:50 pm

*Cheryl A. Lund*

*April 13, 2017*

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Cheryl A. Lund, secretary

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approved