



# CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138  
(503) 738-5501 • (503) FAX 738-9385

May 14, 2020

**MEMBERS:** Carl Anderson, Virginia Dideum, Stephanie Dudley, Terry Graff, Russ Taggard, Austin Tomlinson, and David Smith.

**STAFF:** Carole Connell, Chad Sweet, Victoria Sage - Clatsop County Planner.

## Minutes

The regular meeting of the Gearhart Planning Commission for May 14, 2020 via teleconference was called to order at 6:02 by President Virginia Dideum.

On **MOTION** by Smith, 2<sup>nd</sup> by Anderson, the minutes of February 13, 2020 were unanimously approved as submitted.

### REPORTS:

The financial report as of May 1, 2020 was as follows:

#### Planning Commission Expenses:

|              |         |
|--------------|---------|
| Year to date | 3759.97 |
| Balance      | 9240.03 |

#### Planning Commission Secretary Expenses:

|              |           |
|--------------|-----------|
| Year to date | 11,549.58 |
| Balance      | 18,450.42 |

On **MOTION** by Tomlinson, 2<sup>nd</sup> by Smith, the financial report of May 1, 2020 was unanimously approved.

### STAFF REPORTS:

None

### COMMISSIONER REPORTS:

None

### GOALS LIST:

Smith asked about the May 20<sup>th</sup> council meeting and if it was related to planning. Sweet noted it is a budget meeting and the city budget is in good shape down about \$125,000 for a \$2 million budget.

Connell noted Staff item 1 Review of Land Use Fees. The newly adopted fees are attached for Commission review and can be removed from the list.

Dudley asked about the status of the C1 zone amendments the Commission worked on earlier this year. Sweet noted due to the pandemic the council work session was cancelled. Plans are in the work to reschedule the meeting as soon as the city opens up from the pandemic. Dudley stated due to the current changes in the C1 zone action should be a priority.

Tomlinson asked about status of a weed control grant. Sweet noted the grant was denied.

**CORRESPONDENCE:**

None

**VISITORS COMMENTS:**

None

**PUBLIC HEARING:**

Dideum opened Public Hearing #20-01P to consider the Banta Land partition for property located at 1060 McCormick Gardens Rd. She read the disclosure statement into the record. Dideum asked if there was any conflict of interest or exparte contact. None was declared. She asked if any audience member challenged the commission authority to hear the request. None was declared.

Connell reviewed the staff report.

Taggard asked in regard to the McCormick Gardens street widening and Railroad Right of way path if the county has the same requirements for synchronicity.

Connell said no but Victoria Sage would be able to report on the county portion of the property.

Sage said the county has no transportation plan but has been bringing substandard roads into complain at the time of an application. This application will not trigger any improvements to McCormick Garden Road. There is a requirement of a 25-foot dedicated easement to parcel 2 that will need to be recorded on the plat.

**APPLICANT TESTIMONY**

John Banta, P O Box 2134, Gearhart, OR 97138 – family owned farm since 1964, parents' intention was it be handed down to family members. Of the 5 siblings, 4 would like to have a piece of the farm: one sister staying in the house and the other 3 each getting a parcel. At this time, it is only an inheritance with no building plans. Family agrees with the easement on McCormick garden road and removing the shed but is not in agreement with the lot 900 requirement dedicating the parcel to the city since that has been an ongoing privacy buffer. Banta is confused with the subdivision requirements and with the

number of lots applied for and driveway accesses they would be out of the subdivision rules. He went on to thank Connell on behalf of the family for all her work in processing the application.

Connell noted the subdivision standards apply because a partition is part of the subdivision process and the same rules apply in particular the street design standards.

Connell clarified the condition regarding lot 900 is the applicant *may* consider donation of the property for a shared use path as an option, at this time the family does not want to donate the lot. She clarified if the applicant comes back to the commission for development of the lot the question of lot 900 and a shared use path may be revisited at that time.

Testimony was open to proponents.

None

Testimony was open to opponents.

None

Testimony was open to neutral comments.

None

Testimony was open to questions.

Mary Chandler, sibling, P O Box 2242, Gearhart, OR 97138 said they are against the lot 900 donation and will not give that up. She quoted from the ordinance *the ridge shall not be breached or reduced*. She further stated the north portion of the property is in the county and (they) will deny the cities attempt to bite into county property.

Applicant rebuttal

John Banta said the family has spoken going forward they are in agreement about lot 900.

Tomlinson said it is pretty straightforward, lot 900 is a stretch and should not be forced upon the applicant. He is curious but wonders if it is relevant to ask about the 3-lot partition in the county.

Banta said it was a requirement of the county the way the application needed to be submitted.

Sage said the RA1 zone requires a 1:3 minimum depth in lot ratio and there is no workaround process with the county and the county cannot create a parcel with no access.

Graff asked what the applicant could do to meet the path requirement short of donating the property to the city.

Connell said the applicant could donate the property for a path, the path may but is not required to be developed, at this time there is no development proposed. The question of shared use path can be revisited at the time of development.

Dideum said she is a proponent of connectivity for bike paths and walking paths and would hope the family would consider the option of not having people on the highway.

Taggard felt the question of path should not be taken up until the applicant develops the property.

Connell confirmed the commission will review the final partition plat to verify the final plat is in conformance with what was approved on the tentative plat.

On **MOTION** by Taggard, 2<sup>nd</sup> by Smith, based on the Findings in the staff report the proposed tentative partition plat (File #20-01P) was approved subject to deletion of condition #3 as modified by the Planning Commission. Motion passed (5–2) Anderson – aye, Dideum – nay, Dudley – aye, Graff – nay, Taggard – aye, Tomlinson – aye, Smith – aye.

#### UNFINISHED BUSINESS

None

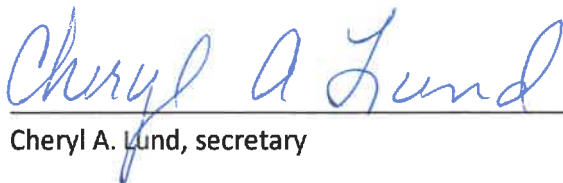
#### NEW BUSINESS

None

#### CONCERNS OF THE COMMISSION

None

The meeting was adjourned at 7:29pm.

  
Cheryl A. Lund, secretary

---

approved