

**PLANNING COMMISSION MEETING
DECEMBER 9, 2004
MINUTES**

I. CALL TO ORDER

The meeting was called to order by Chair Heckerth at 7:00 p.m. Planning Commissioners present were Chair Kurt Heckerth, Merriane Hoffman, Bruce Lovelin, Terry Jones and Gale Ousele Commissioner Joan Marti was absent. Staff present were Director, Bill Campbell; Senior Planner, Lynne Krueger; Lisa Phipps, Coastal Resource Planner.

II. APPROVAL OF MINUTES: November 18, 2004:

The minutes of November 18, 2004 were not available for approval. Commissioner Ousele made a motion to postpone the minutes of November 18, 2004 until the next meeting date.

The motion was seconded by Commissioner Hoffman and carried unanimously.

III. OLD BUSINESS:

At this time, Chair Heckerth announced that there are several issues to be discussed this evening. He asked that all those giving testimony address the criteria and to limit their testimony.

AP-V-04-04: Continuation of an appeal of the Director's decision to deny a request to increase the allowed height from 17 feet to 20 feet to construct a single-family dwelling. The property is located on Beulah Reed Road in the Community of Neahkahnie. The property is zoned Neahkahnie Urban Residential (NK-7.5) and designated as Tax Lot 5900 of Section 20CB, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. Appellants, applicants and property owners Tom and Molly Clarey.

Chair Heckerth reminded everyone that the appellant had requested a 7-day continuance at the last meeting for written comments. He said written comments had been received and given to staff and the Planning Commission for review. He added that this evening's hearing is not for public comment, but for questions from the Commission to staff or the appellant.

Commissioner Lovelin said he had read the supplemental information he had received. He asked that, based upon Mr. Ramis' November 29 memo with attachments, was there information in the memo that staff would like to discuss, qualify or rebut. The memo contained a series of questions and Mr. Ramis' responses to his own questions.

Lynne Krueger answered that most of what was in the memo, was also discussed at the last Planning Commission meeting the previous month. She said there seemed to be a slight difference in staff's setback recommendation than the applicant's. She also discussed the foundation, needed addendum to the Geo Hazard Report, and alternatives for building the house.

Pertaining to the Geo Hazard Report, Lisa Phipps stated that an addendum is required every two years to see if there has been significant changes in the subject site, or if it still upholds all the current geologic hazard ordinance criteria. She added that this addendum may have to name additional changes or suggestions. Lisa thought that basically, the site has remained geologically the same as it did in 1989 when the first Geo Hazard Report was done.

Referring to the questions in the memo, Lynne also addressed the question of the spruce trees on the site and said staff could not regulate the remaining trees. There was a question of whether the trees were obstructive. She then discussed the questions pertaining to small impact and unreasonably obscured, and Lynne said she did not have an answer for that.

Lynne then referred to the memo's question pertaining to whether the applicant had a reasonable expectation they would have a 17-foot building envelope. The memo had identified tax lot 5700 as an example of a previous variance granted because the owner "purchased with a reasonable expectation that part of the structure could exceed 17 feet" because many houses in the area had a room over a garage. To this Lynne stated that lot 5700 had a 6-inch variance, and the house ended up lower than the main ridge of the house, and she said that has to be taken into consideration.

Lynne noted that one piece of information in the memo indicated that each situation has to be evaluated on specific facts. She said if it is a hardship and a variance is to allow further exception to the use. She added that design is not a criteria of the variance process, but relevant criteria, and in this case, are the 1989 Geo Hazard Report recommendations. She added that the applicant could build a house within the 17-foot envelope, but just not the house they wanted.

Another question in the memo to which Lynne responded was if the Clarey's were asking for a special privilege not enjoyed by others. She said

she was not quite sure how to answer this because they were asking for a variance that was not a part of the Neahkahnie Ordinance, which is a specific ordinance regarding height.

Commissioner Lovelin said the Commission has to look at the applications on a case by case basis. However, he said, an argument has been made that 8 percent of the homes on the beachfront were allowed to exceed the limitation through variances, and 40 percent were allowed to exceed 17 feet. He asked Lynne to explain.

Lynne answered that each variance that she was aware of that was granted to any house on the beach was after initial construction and were deemed hardships. None of them, to her knowledge, were granted in the design phase, prior to construction.

Commissioner Lovelin then asked if the adjoining houses on lots 5800 and 6000 had been granted variances and do they exceed the 17-foot height limit. Lynne answered that one of the houses has received a variance.

A short discussion followed regarding the elevations of the adjoining lots.

There were no more questions of staff or the appellant.

Chair Heckeroth closed the hearing to further testimony and opened it up to discussion among the Commission members.

Commissioner Swan stated that he had made two site visits to the subject parcel and one had been on this day. Commissioner Jones said he had also visited the site a couple days before the November meeting.

Commissioner Swan went on to say that he felt the neighborhood consisted of the vacant lot and four nearby houses. He said he had totaled up the heights of the four buildings (houses), divided it by four and found out they averaged 40 feet and change. He felt that if they went with 40 feet and change, it would not be unfair in comparison with the neighbors. Commissioner Swan added that he believed the lots were large enough and spread out far enough that they will not affect anyone at all. He did not see any reason why a variance could not be granted for a request for so few inches in height.

Commissioner Jones agreed to a point, but said the request was for 2 ½ feet more inches than Commissioner Swan thought.

Chair Heckeroth said the applicant must address and meet all applicable criteria. Commissioner Swan said he felt they had been. Chair Heckeroth

said he thought Criterion 4 had not been met. Commissioner Marti agreed with Chair Heckeroth.

A lengthy discussion followed with the members addressing the criteria and giving their opinions as to whether they had been met.

During the discussion Lynne was asked where the 'hardship', as mentioned earlier in the meeting, enters into the request. Lynne answered that staff found there was nothing on which to base an approval. The applicant indicated in the report that there was a 15-foot vaulted ceiling as opposed to a 12-foot vault, and that is a design criteria and not a variance criteria. She added that there was nothing in the plot plan to indicate where they planned to put the house.

Chair Heckeroth then asked how a decision could be made without a plan. Lynne answered that a design is not a variance criteria, and therefore alternatives are available.

The lack of a design for the house was discussed and it was noted that without it, there is no proof the house could not be built. Lynne added that the location of the house is important, and a plot plan is usually submitted with the application. One was not available in this case.

Commissioner Lovelin wondered if there was a way the applicant could be given a time limit in which to submit a plan because there is not enough information available at this time. He said he felt the application should not be denied just because the applicant has not submitted enough information regarding the plot plan.

Lynne reminded everyone if new information was presented, it would mean the hearing would have to be open to the public again with notices, and would require a continuance. She explained that the continuance would depend on new information and it would be up to the members to decide. Lynne added that this is the second round for the applicant because there was the administrative process first and then these hearings.

More discussion followed regarding whether a new plan for the location of the proposed house would be beneficial in making a decision.

Commissioner Ousele made a motion to uphold the Director's decision and deny the Appeal of AP-V-04-04 based on material submitted, staff report, public testimony, findings and conclusions, and the review criteria.

The motion was seconded by Commissioner Lovelin and it carried 4 – 2 with Commissioners Hoffman and Swan voting nay.

“Phase II of the Nantucket Shores” and GH-00-23: Requesting approval of a tentative plat consisting of 53 single-family detached residences on 28.68 acres as Phase II of the “Nantucket Shores” subdivision and approval of GH-00-23. The subject property for all of the above requests is zoned Rural Residential (RR) and is designated as Tax Lot 701 in Section 7 and Tax Lots 300 and 400 of Section 7B, Township 4 South, Range 10; and Tax Lots 100, 104, and 202 in Section 12, Township 4 South, Range 11, all West of the Willamette Meridian, Tillamook County, Oregon.

Chair Heckerroth read proceedings for Quasi-Judicial hearing. There was no challenge to the Tillamook County Planning Commission to hear this matter.

There were no conflicts of interest or personal biases declared by any member of the Commission. There was no ex parte contacts declared by any member of the Commission.

Staff Report: GH-00-23:

Lisa Phipps, Coastal Resource Planner began by saying that this is the first part of a two-part series. She added that some important issues had come up since the report was sent to the members. The additional information was at the beginning of the report and she said it was a list of recommendations of approval and not a decision made by staff.

Lisa explained that this has been going on since September of 2000 and staff is ready to move forward with approval of both the subdivision and the Geologic Hazard Report. She said issues had been raised by DEQ because they suspected the proposed subdivision was sitting upon unstable landform. If this was the case, no on-site septic systems could be installed.

Lisa went on to say that since this concern, the report has gone through some alterations and she gave examples. As of July 2004, the property owners have been able to produce a Geo Hazard Report that addressed the concerns of DEQ to their satisfaction. Lisa said other reports and analysis had been done to substantiate that the slopes were stable and suitable for construction sites. Lisa wanted to make it clear that this only applies to this phase of the project and that changes made for this phase have to be made in future phases.

Lisa said that Public Works had some concerns about slides in the subject area, especially Sandlake Road. She added that the areas of concern had been stabilized with a sheer wall and deep core sample were taken on questionable sites to make sure they were suitable for building. She said that after much discussion, everyone agreed that, based on the stability

analysis performed, they were comfortable with the proposal. Lisa noted that drainage is an important issue and modifications were being made in that area of concern. Erosion did not seem to be much of an issue.

Lisa said that she had recommended only a simple deviation from the recommendations of the original staff report. Every lot has a stable envelope including the five lots along Sandlake Road. There is a geo hazard line that has been drawn through all five lots establishing where a structure can be built in the northwestern point of the site. The deviation she made was that she wanted the five lots, 25 through 28 and lot 30, to have site-specific geo hazard reports because they are very steep and may adversely impact Sandlake Road.

Lisa indicated that staff was ready in 2000 to move forward with the project, but DEQ had concerns that had to be addressed. The number of sites now consists of 53, which is less than previously planned.

Again, Lisa noted the change in the recommendations regarding the site-specific geo hazard report that must be done by an engineer and geologist or a certified engineering geologist. She added that each site would go through the full review process with fees being paid. Lisa added that drainage is a significant factor on these sites, which is another reason for site-specific geo hazard reports.

Chair Heckerath referred to Conditions of Approval number 13 of Lisa's report. He asked if the condition would be putting a burden on the property owners by requiring them to re-vegetate with native vegetation rather than some less expensive plant materials. Lisa answered that this is one of the avenues to encourage native plants to be used on site. She did not think it would be considered a hardship on the property owner to require native planting. She added that many are easy to come by and require little effort to get them started growing. Lisa said grass for lawns would be acceptable, but she reminded the members that it is their prerogative to make changes.

Applicant Testimony:

John W. Mohny, 14870 N.W. Windy , Portland, OR. spoke in the absence of the applicant. He said he had written the Geologic Hazard Report and agreed with the 16 Conditions of Approval .

At this time, Commissioner Ousele referred to the Detailed Findings portion of Lisa's staff report. Applicable Ordinance Criteria 1, notes that a spring will be negatively impacted by the construction of Westview Lane Road. She asked Mr. Mohny if he would comment.

Mr. Mohny answered that it is not a spring where water can be seen, but is more of just a wet spot in one area of the road. He added that it is really not that much of a concern.

Public Testimony:

None.

Chair Heckerth closed the hearing to public testimony regarding GH-00-23.

Staff Comments:

Lisa referred to Condition 9, and stated that the applicant would have to get local, state and federal permits where applicable and if required.

There was a short discussion regarding the cost of obtaining a Geo Hazard Report on the 5 lots mentioned earlier. It was noted that a great deal of money had been spent already on repairing the subject site.

Commissioner Lovelin made a motion to approve Geo Hazard Report, GH-00-23 for Nantucket Shores Phase II, based on the terms of the staff report, public testimony, the findings and conclusions with 16 Conditions listed in Exhibit I.

The motion was seconded by Commissioner Hoffman and it carried unanimously.

Staff Report: Phase II of the Nantucket Shores:

Lynne agreed with Lisa in that this has been a long time in getting to a conclusion. She went on to explain that the original application had been submitted before October of 2000 and it was when Tierra del Mar still had a Community Growth Boundary and had a 20,000 square foot lot minimum requirement. Because the application was submitted before any changes, the applicant is entitled to a 20,000 sq. ft. lot as well as the development of a community sanitation system for the subdivision.

Lynne went on to say that the initial phase has a sewer system with the capacity to service 50 lots and there are 24 on the system at this time. She said an additional system is being designed to service 53 lots with a plan to have on-site sewer systems on four of the remaining lots. The reason being the location of the individual lots. These will be identified when the owner comes in to apply for any permits.

Lynne said the developer has 53 lots in this phase, some having the 20,000 square feet, and they will be in a "cluster". She went on to say that there will be two additional phases at later dates. The subdivision, she said, has gone through several changes in the last four years.

Lynne submitted 5 photos of the subject area showing what it currently looks like. She added that the applicant plan to work on the subdivision within the next two years, and it will be a gated community with fire access off Sandlake Road. Lynne said that any drainage concerns Public Works had have been addressed and their recommendations have been incorporated in the 13 Conditions of Approval.

In conclusion, Lynne then noted that the applicant has met all the requirements of the Land Division Ordinance. She added that staff recommended approval of the subdivision.

Commissioner Ousele referred to the staff report, Conditions of Approval 3, and noted that Exhibit “H” should be Exhibit “E”. Lynne agreed. Commissioner Ousele then asked if C of A 5 and 6 were redundant. Again Lynne agreed and it was decided to omit number 5, leaving 12 Conditions of Approval.

Applicant’s Presentation:

None.

Public Testimony:

Chair Heckerorth announced that public testimony will be limited to three minutes.

Diane Keith, 67450 Cloverdale Road, Bend, OR 97701, said she owned lot 18. She stated that she felt the development will be a tremendous asset and have a positive impact to the community.

David Farr, P.O. Box 551, Rockaway Beach, OR. 97136, identified himself as a real estate broker and was representing the owners of lot 8. He submitted a letter from the owners, Connie M. Mackrill and Cynthia H. Arvin asking the Commission to accept Mr. Farr as their representative. The letter was made a part of the record.

Mr. Farr went on to say that they are not opposed to the subdivision, but they have a concern regarding lot 30. He said it is a steep lot with a 60 – 70 percent slope and to which the county has had numerous problems in other developments with such slopes. He said it was their fear that the lot would sluff if built upon. He suggested a lot be created in a different area of the subdivision in lieu of lot 30, and therefore not lose a parcel. He indicated his suggested location on the display map.

Commissioner Ousele asked if a Geo Hazard Report on that lot indicated it was buildable, would that satisfy Mr. Farr. He answered that his clients

indicated to him that they were told that lot 30 would be a common area. He went on to say that he was afraid that there would be numerous problems if the slope on lot 30 was cut into.

Donald Lettemaier, 5960 Pollock St., Tierra del Mar/P.O. Box 478, Pacific City, OR., said he has been around Tierra del Mar since 1950, and he said he supported the subdivision. He stated that he is also concerned about the hill sliding.

Colon Handforth, stated that he was representing the applicant.

Leonard Rydell, 601 Pinehurst Drive, Newberg, OR, 97132, said he was the Civil Engineer and land surveyor for the applicant. Commissioner Jones asked Mr. Rydell to identify the access for lot 30. He stated that he had indicated the location on the plan (map on page 5 of 8) in his report. He added that he was comfortable with this access to lot 30.

At this time, Mr. Farr submitted some photos of the subject site, identified the lot numbers and again indicated how steep the slope is. The photos were made a part of the record.

Commissioner Lovelin referred to the Geo Hazard Report which stated all lots were buildable. Mr. Farr answered that the Geo Hazard Reports on The Capes and Brighton Beach stated that all lots were buildable, but it turned out they weren't. He said he felt that if there was an alternative building site, it should be considered, rather than a steep sloped site.

There was a short discussion regarding the geo hazard line and the concerns dealing with lot 30. There was much reference to the subdivision plan. Mr. Rydell explained where the geo hazard line was on the plan and why it was felt it was buildable. He also noted that lots that are to have separate geo hazard reports which were mentioned by Lisa Phipps earlier in the meeting.

Chair Heckerth stated that since this is considered additional information, he asked if there was rebuttal from the applicant concerning anything heard from the public this evening. There was none.

Because Chair Heckerth had not closed the meeting to public testimony, he asked if there was additional testimony.

David Farr said that his concern was that if they cut across the hillside to build a house, there is a 60 percent slope, and cuts and fills can cause a problem, especially if the houses are huge, as planned.

Chair Heckerth closed the hearing to public testimony.

Commissioner Lovelin asked if the concerns regarding lot 30 would alter the staffs position in any way, or can future geo hazard reports be relied upon.

Lisa Phipps answered that this is one of the reasons she requested the Commission approve the recommendation for a site-specific geo hazard report on three of the lots. She asked the members to keep in mind that the geo hazard report reviews land grading practices, cuts, fills, and foundations on lots. The members are suppose to look at impacts to adjacent properties. She said it is not unreasonable for owners of lots 8 and 9 to have concerns, but if lot 30 is to be developed, there are standards that the builder must abide by.

Pat Oakes, Public Works Department, was present at the meeting. He had submitted a letter as part of the packet, and stated he had nothing more to add. He added that he was available for questions if any arose.

Commissioner Hoffman made a motion to approve the Tentative Plan for Nantucket Shores Phase II based on the materials submitted, staff report, public testimony, Findings and Conclusions including all 12 Conditions of Approval for the subdivision and the 16 Conditions of Approval in the Geo Hazard Report with corrections as noted.

The motion was seconded by Commissioner Ousele and carried unanimously.

Chair Heckerorth recessed the hearing at 8:50 PM and reconvened at 8:55 PM.

IV NEW BUSINESS:

AP-GH-04-19: REQUEST TO CONTINUE TO JANUARY 13, 2005;

An appeal of the Planning Director's decision to approve with conditions a Geologic Hazard report Review for the construction of a single-family residence in Neahkahnie. The subject property is located at the junction of Twana Trace Road and Sunset Drive on the parcel designated as Tax Lot 1500 of Section 20BB in Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. Lyn H. Messenger, property owner and David and Carol Hall, appellant.

Lisa Phipps announced she had received a letter the day before from the property owner asking for a continuance. She read the letter aloud for the benefit of all present. The continuance was to give the property owner time to address concerns regarding the storm water.

After some discussion it was determined to continue the meeting until March, 2005.

Commissioner Ousele made a motion to continue AP-GH-04-19 until the March meeting (10, 2005) as requested. The motion was seconded by Commission Hoffman and it carried unanimously.

CU-04-15: A Conditional Use Request to amend a Planned Development Overlay Master Plan identified as Shorepine Village, located within the Pacific City Unincorporated Community Boundary. This request is to amend the current commercial component and seek approval for Phase III, Shorepine Village, consisting of townhouses and a commercial component. The subject property is accessed from Cape Kiwanda Drive and located in the community of Pacific City, bounded on the west by the Pacific Ocean and the east by Cape Kiwanda Drive. The first half of Shorepine Village orders the north of the proposed project and Kiwanda Shores Subdivision borders the south. The subject property is designated as Tracts A and B of Section 24AD in Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. Nestucca Ridge Development, Inc., applicants and property owners.

Chair Heckerth read the proceedings for quasi-judicial hearings.

There was no challenge to the jurisdiction of the Tillamook County Planning Commission to hear this matter.

There were no conflicts of interest or personal biases declared by any member of the Commission. Regarding exparte contact, Commissioner Hoffman stated she drives by the subject site regularly, but with no intent.

Staff Report:

Lynne Krueger, Senior Planner, reminded the members of the previous two phases to Shorepine Village. She noted that in the original Planned Development and master plan these two areas, Tracts A and B, were designated as commercial area. However, she said there has been a demand for housing rather than commercial in the last 10 years.

Lynne explained that the applicant was requesting to amend the Planned Development master plan to reflect six units on one site (Tract) and eight on the other site, with a commercial component. She added that they will be townhouses and meet the density for what they are proposing in the master plan.

In conclusion, Lynne said the area is fully developed with roads, utilities such as water and sewer. There is no concern regarding sanitation or water.

In answer to a question by Commissioner Lovelin, Lynne said each unit has a garage with one additional parking space in the driveway. She added that

there is additional parking for the commercial area as well. Lynne referred to the map to indicate the commercial component.

Applicant's Testimony:

Mary Jones, P.O. Box 189, Pacific City, OR. 97135, said that she and partner Jeff Schons were the applicant. She stated that Lynne had done a fine job in representing their application. She noted that there are 39 lots in Phase I and 38 lots in Phase II. Ms. Jones went on to say that the original designated commercial areas are more suited for residential, and the areas to be designated as commercial will contain an office and perhaps an exercise room.

Ms. Jones referred to the display map in identifying the areas she discussed. She indicated that they had received numerous responses to the notice sent to adjoining property owners, and they were overwhelmingly in favor of the change from commercial to residential.

In answer to member's questions, Ms. Jones answered that the new units will be very similar to those already in Shorepine Village. She indicated on the map where the additional parking will be. She and Mr. Shons are in support of the five recommended Conditions of Approval.

There were no more questions of Ms. Jones.

Public Testimony:

None.

Chair Heckerath closed the hearing to public testimony.

Commissioner Hoffman referred to page 4, C 1 of Lynne's staff report and noted that the number of homeowners to who notices had been sent, was omitted. Lynne said notices had been sent to 72 adjacent property owners with favorable responses.

There was no more discussion or questions of staff.

Commissioner Lovelin made a motion to approve Conditional Use application CU-04-15 to amend the Planned Development for Shorepine Village Phase III based on materials submitted, staff report, the public testimony and findings and conclusions with the five Conditions of Approval listed in the staff report.

The motion was seconded by Commissioner Hoffman and it carried unanimously.

Tentative Subdivision Request for Shorepine Village III: Requesting approval for the completion of the amended master plan for Shorepine Village III, a tentative plat consisting of 14 townhouses and two smaller commercial areas. The subject property for the above request is zoned PCW R-2/PD (Pacific City/Woods Medium Density Residential Zone, Planned Development). The subject property is accessed from Cape Kiwanda Drive and located in the community of Pacific City, bounded to the west by the Pacific Ocean and the east by Cape Kiwanda Drive. The first half of Shorepine Village borders the north of the proposed project and Kiwanda Shores Subdivision borders the south. The subject property is designated as Tracts A and B of Section 24AD in Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. Nestucca Ridge Development, Inc., applicants and property owners.

Chair Heckerth read the proceedings for Quasi-Judicial hearings.

There was no challenge to the jurisdiction of the Tillamook County Planning Commission to hear this matter.

There was no conflict of interest of personal biases to declare by any member of the Commission. Regarding exparte contact, Commissioner Hoffman declared that she drives by the subject site regularly, but has never discussed the issue with anyone.

Staff Report:

Lynne Krueger began by saying there are 14 two-story townhouses planned with appropriate parking. She said all roads were in and the utilities are already in place as well. Lynne added that the development comes with CC & R's for Shorepine Village. This will complete the final phases of the development.

It was noted that on page 14, C of A number 9, there should be a period at the end of the sentence.

Chair Heckerth asked if the problem of scotch broom was addressed. Lynne answered that the CC & Rs in the original master plan stated that they require cleaning vegetation. Chair Heckerth asked if weed control was a county regulation. Lynne answered that it was not.

Commissioner Ousele referred to C of A number 2 regarding taxes on the subject site. Lynne stated that the Assessors office would not allow the subdivision to even be platted without the taxes being paid in full, and the surveyor cannot submit a filing until that happens.

There were no more questions of staff.

Chair Heckeroth closed the hearing to public testimony.

Commissioner Hoffman made a motion to approve the tentative plat for Shorepine Village Phase III based on the material submitted, the staff report, public testimony, and findings and conclusions along with the Conditions of Approval in the staff report.

The motion was seconded by Commissioner Jones and carried unanimously.

V AUTHORIZATION FOR CHAIR TO SIGN APPROPRIATE ORDERS IF NECESSARY.

Commissioner Ousele made a motion for Chair to sign appropriate Orders, if necessary. Commissioner Hoffman seconded the motion and it carried unanimously.

Administrative Decisions: Amended DP-04-08, DP-04-09, GH-04-31, GH-04-32, GH-04-33, and MP-04-03.

Commissioner Ousele questioned the reason for the amended Development Permit DP-04-08 which dealt with the hanger. Lisa Phipps explained that they were in the process of obtaining a Development Permit and he wanted to make the hanger smaller. Because she changed it, and in order to stop the process, the applicant appealed the decision and then the decision was reissued.

There were no other comments regarding the Administrative Decisions.

VI DEPARTMENT OF COMMUNITY DEVELOPMENT REPORT:

Mr. Campbell told the members that staff had been very busy and to give an example, he noted that two years ago, the department did \$106,000 of permit valuation. Last year in November, the department did over a million dollars in permit valuation. This year, he said, the department has done over two million dollars in November alone on thirteen permits. He mentioned that there doesn't seem to be any slow down as it usually is in the winter months.

Mr. Campbell stated that the January 13 meeting will consist of a workshop. He mentioned a few of the issues that will be discussed. One issue to discuss will be a request from the Neahkahnie community dealing with second home rentals and enhancement.

Another issue of discussion will be the idea of working with Pacific City/Woods Planning Advisory Committee and the Oceanside Neighborhood Association.

Commissioner Swan announced that he did not believe he would be able to attend the January meeting. He said that issues to be discussed were issues in which he wanted to be involved. He asked Mr. Campbell if they could have a work session in February at 6 PM so he could participate. Mr. Campbell indicated that would be possible.

Mr. Campbell outlined several topics to be discussed in the near future by the Planning Commission, and when meetings would occur with different entities in the county. A lengthy discussion followed regarding meetings and obligations of the Commission, as well as involvement in county communities.

Mr. Campbell said there had been claims filed regarding Measure 37. He added that the department charges \$150.00 for a filing fee which includes the first 3 hours of staff time. A fee of \$44.00 per hour is charged for any staff time beyond the 3 hours. Further discussion followed regarding Measure 37. Mr. Campbell wanted to make it clear that Measure 37 claims are not land use decisions and will not be brought before the Planning Commission. He then explained the process.

Commissioner Lovelin asked the status of the LUBA appeal pertaining to the Port of Tillamook Bay. Lynne Krueger stated that a brief would be filed on the 29th.

VI ANNOUNCEMENTS:

Lynne stated that the Centex Homes Development in Netarts would be discussed at the February 2005 meeting.

Lisa Phipps announced that the Netarts Littoral Cell Advisory Committee will be having their final workshop on Saturday from 10 to noon at the Netarts fire hall. She added that the committee's recommendations will be taken directly to the Board of Commissioners because they are a Board appointed Advisory Committee. Lisa said the implementation process will then consist of bringing it back to the Department of Community Development, to the Planning Commission and then again to the Board.

VII ADJOURNMENT:

Chair Heckeroth adjourned the meeting at 10:10 PM.

Kurt Heckeroth, Chair

Chenoa Descloux, Recording Secretary

Date