

TILLAMOOK COUNTY PLANNING COMMISSION

December 11, 2008-Beginning at 7:00 pm

I. CALL TO ORDER: Chair Ousele called the meeting to order at 7:00 pm

II. ROLL CALL: Ray McFarlane, Terry Jones, Gale Ousele, Merrienne Hoffman, and Kurt Mizze.

III. APPROVAL OF MINUTES: November 13, 2008

Commissioner Hoffman moved to accept the minutes of November 13, 2008 as submitted. Commissioner Jones seconded the motion. Motion passed 5:0.

IV. OLD BUSINESS:

- a. **OA-07-06** – The proposed Ordinance Amendment will adopt the Highway 131 Transportation Refinement Plan (TRP), which will make it easier for the county to obtain funding for transportation improvements for Highway 131 and the Rural Urban Unincorporated Communities (RUUC) of Netarts and Oceanside, meet state transportation requirements, and improve the capacity, safety, and connectivity of the county's transportation systems. (Lisa Phipps- Carried over from September 13, 2007)

Chair Ousele announced that a signup list was being circulated for those who wished to testify and those who wished to provide their name and address so they may be formally notified of the results of this hearing. Staff handed out copies of the applicable criteria. She read aloud the Quasi-Judicial statement for the public hearing according to ORS 197.763

There were no Challenges to the Tillamook County Planning Commission hearing this matter.

There was no conflict of interest or personal bias declared by any member of the Commission

There was no ex parte contact declared by any member of the Planning Commission.

Lisa Phipps, Tillamook County Long Range Senior Planner, gave the presentation. She started by stating that this is a continuation of a hearing that was held on September 13, 2007 and was continued due to the public not having enough time to review appendix F which was a series of proposed ordinance changes. The Planning Commission asked staff to take OA-07-06 back to the Public. She said that the Oceanside Neighborhood Association (ONA) and the Netarts CPAC have reviewed appendix F and provided comments. There were several public meetings held letting the public know of potential changes. Many of the comments were typographical edits. Ms. Phipps said staff has made the new language proposed by the public comment more conforming to the current language in the ordinance. She went on to say that this Transportation Refinement Plan (TRP) is an extension of the Tillamook County Transportation System Plan. The conditions that were identified to affect the communities of Netarts and Oceanside were travel, pedestrian and bicycle safety on HWY 131 and congestion within the communities of Netarts and Oceanside. Ms. Phipps said that Tillamook County received a grant in 2006 to begin both the Cloverdale and HWY 131 TRP's. When this issue was brought before the Commission previously there was a lot of time spent looking at the conceptual plan and listening to testimony about the plan. The ONA recommended eliminating the four RV parking spaces on Pacific Avenue. The four RV parking spaces were the biggest issue the ONA had with the conceptual plan. There was concern expressed about enforcement of the "No Overnight Parking rule". The ONA was concerned that the four RV spaces would become "like" an RV park. The other recommendations were to improve the green space in the lower wayside parking area and to change the configuration of the perimeter parking area at the community center to allow for full size vehicles. No comments were received from Netarts on the conceptual plan itself although in the review of Appendix F several points were made. Staff recommended removing the lighting ordinance from this plan as it will be addressed at a later date. Ms. Phipps said that the County is the applicant on this application so this is the both the staff report and the applicant's presentation. Ms. Phipps then asked for questions on the conceptual plan.

Commissioner Hoffman asked if staff's recommendation is for the section on Outdoor Lighting to be eliminated. Ms. Phipps said yes and that there

would be a meeting in January to discuss this ordinance to include the entire county. Commissioner Hoffman then asked if the local streets would be kept narrower than normal for a “village like” atmosphere. Commissioner Hoffman then directed Ms. Phipps to line 206 of Appendix F in the ONA comments. Ms. Phipps said that since most of the streets are existing, if there is no need to improve the entire right of way, they would rather the streets be kept narrow to maintain the village atmosphere. Ms. Phipps also stated that the intent is not to take away power from Public Works. If Public Works deems that street improvements are necessary for public safety, they would have the final say.

Commissioner Hoffman then asked if the Netarts CPAC and ONA approve of the TRP. Ms. Phipps said that the CPAC’s would like a few modifications one being the RV spaces. In reviewing the CPAC’s comments, they are consistent with the intent of the proposed ordinance changes and the TRP.

There was no public comment.

Commissioner Hoffman asked where the Park Oceanside zone in Oceanside is. Ms. Phipps said the property the Netarts-Oceanside Sanitary District sits on and the wayside are both in the Park zone. Commissioner Hoffman then asked about line item 11 (a bicycle rack that will secure 10 bicycles). She felt that the rack was big and it sounded like there were plans as to where this was supposed to go. Ms. Phipps said that bicycle racks were in the plan and the ONA wanted to recommend this project for addition to the Transportation System Plan (TSP) project list. There was no ordinance language attached to it. The ONA wanted to emphasize that bicyclists are an important part of the community.

Ms. Phipps then went through both the CPAC letter and the Oceanside Neighborhood Association (ONA) letter line by line for the Planning Commission.

Commissioner Jones asked if ODOT would be able to work with the concepts in #126. Ms. Phipps said that ODOT has reviewed this letter and staff has not received any comments. Commissioner Mizee asked about #128 and how that falls into land use speak. Ms. Phipps said it would be through a Non-Conforming Major or Minor review. She said that many do not have parking and are non-conforming as a result. She then said that any expansions or a change in use would require a Major Non-Conforming

review. Ms. Phipps said that an existing building in and of itself would not trigger a Non-Conforming review. Commissioner Ousele had trouble with the language “Majorly Remodeled” Ms. Phipps said that language the county currently has could be used “Substantial improvements to a non-conforming structure and/or use.” Commissioner Hoffman asked about #131 and the city that they are referring too. Ms. Phipps said they are referring to the communities and that any reference to cities will need to be removed. Ms. Phipps also said that the communities do not currently have a say in the Building Permit process for a new house.

Ms. Phipps said that the Netarts CPAC would like see the speed reduced through Netarts on HWY 131.

Commissioner Mizee asked what agency this would be taken up with. Ms. Phipps said ODOT would be the entity to do this type of study and reduce the speed limit. Ousele said that this issue would be referred to ODOT and that studies often do not reflect the reality of the people who live in the community. She would like staff to craft language to encourage ODOT to listen to the community.

Ms. Phipps said staff would renumber appendix F, get the paragraphs cleaned up, and incorporate the changes that have been recommended this evening, and run it back by ODOT and the community. Then staff will put this on the schedule for January 8, 2009.

Commissioner Hoffman moved in the matter of OA-07-06 to continue this matter to a time a date certain that would be the January 8th meeting and to keep the record open to public comment.

Commissioner Mizee seconded the motion. Motion passed 5:0

Commissioner Ousele called for a five minute break.

V. NEW BUSINESS:

- a. **Exception for Conditional Use 08-10:** A request for an Exception to Statewide Planning Goal 4 (Forest Lands) and Comprehensive Plan Text Amendment by the Netarts-Oceanside Sanitary District to allow for a use – a wastewater treatment plan, accessory structures, and access road – that

would otherwise not be allowed on a property zoned Forest (F).
(Brad Sheets)

Chair Ousele announced that a signup sheet was being circulated for those who wished to testify and for those who wished to provide their name and address so they may be formally notified of the results of the hearing. Staff handed out copies of the applicable criteria. She then read aloud the Quasi-Judicial statement for the public hearings according to ORS 197.763.

There was no challenge to the Tillamook County Planning Commission hearing this matter.

There was no conflict of interest or personal bias declared by any member of the Commission.

There was no ex parte contact declared by any member of the Commission

Chair Ousele stated for the record that Commissioner Mizee has stepped into the audience for this presentation.

Brad Sheets, Tillamook County Associate Planner gave the presentation. He started his presentation by handing out a letter received from the Oceanside Neighborhood Association received after the Planning Commission packets were mailed.

He then explained about the GIS map he showed the PC.

Mr. Sheets stated that this is a Goal Exception to the Tillamook County Comprehensive plan, Goal 4 requested by the Netarts/Oceanside Sanitary District (NOSD). It is for a Waste-Water Treatment Plant and related uses in a Forest zone. He said that if this is approved it will then move to a Conditional Use application process. He then showed the Planning Commission a GIS map with the 371-acre parcel owned by Green Crow and within that parcel is 9.76 acres for the Waste-Water Treatment Plant. Ms. Sheets said that the proposed site is several thousand feet from the current Waste-

Water Treatment Plant and 1000 feet away from the Community Growth Boundary. Mr. Sheets made it clear that this was not a zone change but a use that is permitted conditionally in the Tillamook County Land Use Ordinance but since the Tillamook County's Ordinance in the Farm and Forest zones does not meet the Oregon Administrative Rules which are stricter staff must go with the stricter of the two. He clarified that a Waste-Water Treatment plant and related facilities are not listed within the Oregon Administrative Rules for a Forest Zone.

Mr. Sheets said that the access to this property is off Cape Meares Loop via an existing forest road. He then showed the access to the Planning Commission on the GIS map. He went on to say that there are 7 lots zoned Forest and 21 lots zoned Residential Oceanside, two of which abut the subject property. Mr. Sheets said that within the 371-acre parcel there are Geologic Hazard issues within the area ranging from inactive landslide topography to landslide topography that would trigger a Geologic Hazard report during the building permit process if slopes were greater than 29%. Mr. Sheets then went on to give a brief history of the property. It was zoned A-1, which was Low Density Residential/Agricultural/Forestry/Recreation Zone in 1969. With the adoption of Ordinance 33, the zone was changed to Forest.

Mr. Sheets said that exceptions to State Wide Planning Goals give flexibility in Land Use for uses that are not outlined specifically in the State Wide Planning Goals. This gives staff the flexibility to site a use if there are no other places to place it. He said that this exception is required by the Oregon Administrative Rule (OAR). Staff looked at Goal 2 to establish the criteria to look at a Reasons Exception for this use. The first criteria are why this use cannot be accommodated on other available lands and why the State Wide Planning Goal should not apply.

Mr. Sheets said that thirty years ago when the Netarts/Oceanside Sanitary Plant was built there were only 100 connections to the district. Today there are over 1,000 connections. This is an aging facility with capacity issues. The proposed property can accommodate the existing size of the facility plus future growth.

Mr. Sheets said that Westech Engineering did an analysis of properties available in the area that would accommodate the facility plus future growth. He said that in reviewing those properties they came up with the proposal that the Planning Commission will consider tonight. He went on to say that looking at the map the Planning Commission can see that there are a lot of small lots but not many large enough to accommodate the acreage needed for this type of facility.

Mr. Sheets went on to inform the Planning Commission that they have the ability to curb the types of uses to the specific use requested. He said what NOSD has requested are Waste Water Treatment Plant processing unit, operating office space, shop buildings, equipment storage, sufficient parking to accommodate these and related uses and the possibility of future expansion. He said that NOSD has been proactive in this matter and has done a lot of progressive planning for what their needs will be now and in the future. Mr. Sheets said that the applicant considered eight properties but did not come up with any that would accommodate the proposed use. They eliminated some areas due to topography or residential use located near the current plant. Two potential properties out of eight were outside the community growth boundary and located within the Forest Zone. One was eliminated due to Geologic Hazards and wetlands concerns.

Mr. Sheets said that staffs findings concurred with the findings of the applicant that there are not a lot of properties within the Netarts/Oceanside Community Growth Boundary (CGB) that can accommodate this facility. He said that the proposed site is close enough to the current site to connect the two systems together. This provides a more logical progression in their development of a new facility.

Mr. Sheets said that the applicant looked at different options, from doing nothing to running a pipe to within the Tillamook Urban Growth Boundary (UGB). He said that the applicant eliminated the pipe to the Tillamook UGB due to the distance and expense.

Mr. Sheets said staff looked at the long-term impacts of putting this facility in a Forest zone. He said the impacts they looked at were environmental, economic, social, and energy consequences. He

indicated, after examination of the engineering report from Westech, staff felt that the site the applicant choice was based on the criteria and did its best to avoid wetlands.

Mr. Sheets said that staff received three letters of commentary from Tillamook County Public Works Dept.(TCPW), the Oceanside Neighborhood Association (ONA), and the Oregon Dept. of Fish and Wildlife (ODFW). Mr. Sheets indicated that ODFW, in their letter, stated that there were no sensitive areas that would preclude this area from being developed. Mr. Sheets said that in looking at the Development Standards for riparian areas, stream crossings, and wetlands will still apply and may carry over to future applications when sighting the plant on the proposed area. He said that after reading the commentary letters the applicant was avoiding potential environmental impacts now and in the future.

Mr. Sheets stated that he did research on the productivity classification on forestlands and determined through the US Dept. of Agriculture's website that the proposed exception area is not the highest in production soils. He said that other areas of the 371-acre parcel have higher productivity soils. Mr. Sheets concluded that the impacts to environmental, economic, and social and energy consequences were not that high and the applicant is trying to mitigate against any environmental issues. He felt economically that taking 10-acres out of a 371-acre parcel has some impact. He said that he walked the road on the site with George Urrey from TCPW and the site has not been replanted since the last time the trees were cut and is out of production. Mr. Sheets said that socially it is removed from the Community Growth Boundary so smells and sounds are less likely in this area.

Mr. Sheets then looked at the proposed use of the NOSD plant in relation to other adjacent uses. He said that the closed property from the exception site is a Rural Residential piece that is approximately 300-feet from the proposed exception site. He said that staff took into account the potential for an active rock quarry on the site, the routing of the pipelines. Mr. Sheets felt that where ever a facility of this size is sighted there would be new sights and sounds. He felt that this site is fairly isolated and from the site, there were no visible houses.

Mr. Sheets said that this process is similar to a Variance process with a specific use being granted. He again stated that this is not a zone change but allowing a potential use on the property. He said that one concern was whether or not this would allow for the CGB to be expanded. He said that to expand the CGB another Goal Exception would be required plus 7-criteria within Goal 14.

Mr. Sheets said that this application is for the sighting of a Waste Water Treatment Plant outside the CGB to serve the properties within a CGB not to promote future growth and development on natural resource land.

Mr. Sheets then said that in addition to the criteria for Goal 4 for an exception staff must consider if there are other potential Goal Exceptions that are pertinent to this process. He spoke with staffs contact at the Oregon Department of Land Conservation and Development (DLCD) and it was declared staff needed to address Goal 12, which deals with transportation. It was determined that since the use was not allowed outright on Forestland, the access was also not allowed on Forestland. He said that staff looked at the Tillamook County Comprehensive Plan and the Tillamook County Land Use Ordinance (TCLUO) , which clearly outlines that a Sewage Treatment Plant is allowed conditionally in the Forest zone. He said that access to something that is permitted conditionally is assumed as allowing access. Mr. Sheets said that along with looking at access the best route through Forest land needs to be considered. He said the applicant look at potential access from HWY 131 to the site through residential neighborhoods. He said that improving the existing forest road for ingress and egress would take the least amount of productive land out of the Forest zone.

Mr. Sheets then recommended approval of Reasons Exception for CU-08-10 subject to the conditions listed on page 13 of the staff report.

Commissioner Jones asked if there is a stream near the site. Mr. Sheets answered that he did not locate any wet areas when he did his site visit. He indicated that the site visit was done after a rainstorm. Commissioner Jones asked where the run off for the property would go. Mr. Sheets then directed the Commissions attention to the GIS

map and indicated the area and that the drainage issue would need to be addressed during future development applications.

APPLICANTS PRESENTATION

Craig Wakefield
Board Chair of the Netarts/Oceanside Sanitary District
1605 Oceanside Lane
Oceanside, OR.

Mr. Wakefield introduced the consultants who have been involved in this project.

Dan Mellow- NOSD Superintendent
Jim Maitland- Foundation Engineering
John Yarnall - Westech Engineering
Vic Affolter – NOSD Land Use Consultant

Mr. Wakefield said that the NOSD plant was constructed in the mid to early seventies and that it is at the end of its useful life. Mr. Wakefield said that he and his team put together a 20-year analysis of the loads to determine the size of plant needed. NOSD then looked at either rehabilitating the old plant or building a new plant on the old site. He said that this was not feasible due to poor soil conditions, limited footprint, etc. Mr. Wakefield said that in this process, many alternative sites were looked at and the proposed site was determined to be acceptable. He then turned it over to John Yarnall.

John Yarnall
West Tech Engineering.
3841 Fairview Ind. Dr. SE
Suite 100
Salem, OR 97302

Mr. Yarnall said that his firm is the author of the proposed plan before the Planning Commission and the lead consultant on the project location. He said that, the current plant, after 30-years of being submitted to the salt air has resulted in capacity problems and corrosion issues. He said that it is a constrained site with

problematic soils. Mr. Yarnall said that what he and his company were looking for was planning for the next 20+ years resulting in the facility plan effort and reliable treatment plant service for the existing use plus the planned growth within the community. He said that one of the milestones in the mutual agreement order was the District had to look at alternate sites or renovating the existing site. Mr. Yarnall then showed the Planning Commission the different sites looked at on the map. He then explained that most of the other sites were eliminated early due to soil issues, wetlands and proximity to the treatment plant. He said that after considerable searching they decided on the proposed site. NOSD then hired a Natural Recourse Consulting Firm and did a wetlands survey, a cultural resources survey, and a geohazard survey. Mr. Yarnall said there were no wetlands or archeological sites. Mr. Yarnall said that Mr. Maitland would discuss the geotechnical part in his presentation. He then went on to explain where the treatment plant would go on the proposed site along with the pipelines. Mr. Yarnall said the access would be off Forest Road 256.

Jim Maitland
Geo Tech consultant.
Foundation Engineering
820 Cornell Ave.
Corvallis, OR 97330

Mr. Maitland explained what the adverse impacts of the natural hazards on the proposed plant. He said that many of the other sites that were looked at had geotechnical issues i.e. limited footprint, steep slope hazards that made them unappealing. Mr. Maitland said that he has also done some work at the existing site on sinkholes and pipeline problems. Mr. Maitland said that due to the topography of the proposed site it has a lower risk compared to the alternative. He said that the soil at the proposed site is weathered bedrock that goes down approximately 100 feet. Mr. Maitland said that he has prepared recommendations on a grading plan and how to build to minimize the impact on the slopes. He said that the grading plan was done as to have a modest change to the loading on the slopes. He said that they have been monitoring the soils since June and have seen no appreciable movement. He said that all sites would have an inherent risk and the proposed site is lower

than other sites in this area. His recommendation is that the proposed site be approved for this use.

Commissioner Jones asked what the depth of the soil is before you get to bedrock. Mr. Maitland said it varies. Roughly 25 feet above the bedrock.

Commissioner Ousele asked if a GEO hazard review was done on the access road. Mr. Maitland said that if you were not making any major changes then the road would stay as it is.

Vic Affolter
300 Marvin Rd.
Tillamook, OR 97141
Land Use consultant

Mr. Affolter said that there are no perfect sites and the proposed site is the best for NOSD. He then went on to talk about public involvement. He said that last April he made presentations to the ONA, and the Netarts/Oceanside CPAC. The information presented at those meetings is posted on the ONA website.

Commissioner Hoffman asked about the potential blasting impact memo regarding Green Crow's quarry operations. She wanted to know where the quarry is. John Yarnell showed her on the map that the potential quarry site was above the proposed Treatment site. He said that there were questions raised, that if Green Crow were to put in a rock quarry would the blasting operation damage the concrete tanks at the new treatment plant. He said that the answer is no, it would not affect the new treatment plant. Mr. Affolter said that in the negotiation of the contract Green Crow had to be satisfied that the construction of the treatment plant would not affect their forest or quarry operations.

Public testimony

Kurt Mizee
1590 Netarts HWY
Netarts, OR 97143

Mr. Mizee said that he is about 300 feet down wind of the proposed site. He said that the drainage would run down between the ridge to his west property line and about half way down there are wetlands. He said that one of his issues is that neither he nor his family was noticed about this meeting. Mr. Mizee went on to say that, his family has owned the property since 1950 and as far as he knew, he was next to forest property and residential property to the west. He never intended to be down wind from a sewer treatment plant. He is concerned about fire provisions and that the road access is steeper than current county code. He feels that the applicant is in a rush to get this done due to poor planning and not prepared for the growth. Mr. Mizee does not feel that is a good reason to move quickly to find a piece of property to place the treatment plant on. He said that what bothers him is that it is going on forestland when there are sites within the community boundary, which the applicant said is not appealing, not that it is unacceptable. He feels that there should be more information on alternative sites before the Commission decides on this Exception. He said that site #2, next to Maxwell Mt. is within the community boundary, close access to the HWY, and does not require as many goal exceptions. He said it is a little smaller than the proposed site.

Commissioner McFarlane asked if Mr. Mizee's major issue was the odor from the proposed treatment plant. Mr. Mizee said that after 10:00 am starting in May and ending in November there is a wind that comes down the raven in a straight line to his home from the proposed site.

Commissioner Hoffman asked if there was an odor issue with the current site where the residences are closer. Mr. Mizee said he does not know but the existing site is partially protected due to the topography.

Beth Moore
DEQ Water Quality
2020 SW 4th Ave.
Portland, OR 97201

Ms. Moore said that she is here to stress the importance of a new site for the NOSD and that NOSD and DEQ have entered into a Mutual Agreement and Order (MAO). She said that the current wastewater treatment plant is beyond its useful life. The site the plant is on cannot be used to expand for a twenty-year planning period, which is a requirement of DEQ. Commissioner Hoffman asked if there was a time line on the agreement. Ms. Moore said that the current agreement is to have the facility constructed by 2010. Ms. Moore said that the need to move forward includes the signed agreement/order. Commissioner Hoffman asked if it was polluting the Ocean. Ms. Moore said yes, at times. There was a major component failure in 2006, which was predicted in previous studies. Commissioner Hoffman asked if there was a penalty for this failure. Ms. Moore said no, there was not a penalty for that failure but there is a penalty for not meeting the mutual agreement and order on the scheduled date. Commissioner Hoffman asked if DEQ has looked at the proposed site. Ms. Moore said that in the MAO it gives NOSD the power to decide where or if they want to move.

APPLICANTS REBUTTAL:

Vic Affolter
300 Marvin Rd.
Tillamook, OR 97141
Land Use consultant

Mr. Affolter said he is surprised about the concerns heard this evening. He said that this has been an open ongoing process for the last eight-months. He said that it was not about what was appealing but what site worked. He then directed the Planning Commission to exhibit F in their packets that list the reasons why other sites did not work. He said in general the following evaluations were done on alternative properties, access, zoning, geologic stability, constructability, up-station forest main requirements, south fall requirements, impacts on adjacent property etc. Mr. Affolter said that some of the reasons the other sites were not suitable was due

to steep topography, geologic instability, distance from the existing Ocean outfall, and wetlands. He said that anywhere within the community growth boundary would be closer to existing properties than the 300 feet from Mr. Mizze's property.

Craig Wakefield
Board Chair of the Netarts/Oceanside Sanitary District
1605 Oceanside Lane
Oceanside, OR.

Mr. Wakefield spoke about the odor of a treatment plant. He said that one of the reasons you get a bad odor out of a treatment plant is incorrect running of the plant. He said the proposed facility has a lot of flexibility in the way it can handle high/low flows, many of the sensors are electronic. He also said that it is one of the most effective and safe ways to treat sewage today. He said that when sludge is removed and hauled away from the current facility there is often an odor problem. With the new system, there is a water cap over the facultative sludge lagoons, which will become habitat for wildlife and will remove the need to haul the sludge on a monthly basis. The sludge will remain in the lagoons from 18-20 years before it is needed to be removed. This will deal with the odor problem.

Mr. Wakefield then spoke about the concern of being in a hurry. He said that the previous board started dealing with this plan about five years ago and there have been numerous meetings and consultations with Engineers. He wanted it made clear that this was not a haphazard process but a well-studied and thoroughly covered process. Mr. Wakefield then said that the proposed facility is not being constructed for expansion in the community it is to accommodate future growth within the boundaries of the community.

Commissioner Jones asked Mr. Wakefield what the projected maximum number of houses within the community boundary is. Mr. Wakefield said he could not answer that but the new facility could service just over two-thousand and the current facility services thirteen-hundred.

Vic Affolter said that they are not trying to expand the community growth boundary (CGB) and that the law does allow for a sewage treatment facility to be outside the community growth boundary and says nothing about expanding the CGB to include the facility.

Commissioner Jones said the reason he asked the question is to see if the proposed facility will be able to accommodate expansion within the CGB. Mr. Wakefield said they did a thorough study of the projection of growth. He said the amount of land they are proposing will allow the NOSD to expand and double their capacity if needed.

Mr. Wakefield then mentioned the fact that in their agreement with Green Crow, Green Crow has addressed the visual impact and that it requires NOSD to do certain landscaping. He said the tanks sit below the ground so there are no large cement tanks above ground.

Mr. Affolter said that any location within the CGB would place the facility closer to a number of residences and is one of the reasons for the proposed site.

STAFF

Brad Sheets said that the process will go through a GEO hazard report if the slopes are greater than 29%. He said that the notification was notified to all the agencies, CPAC's etc. It does appear that Mr. Mizee was not notified directly, there is one section that was omitted when the mailing list was generated. He then addressed the smell issue; he said that in factor D it says that compatible is not intended as absolute term meaning no interference or adverse impacts of any type with adjacent uses. He said that in sitting this within the CGB where the development is dense the impacts are higher than the proposed site.

Commissioner Hoffman asked if there was any repercussion on adjacent property owners not being notified. Mr. Sheets said that it is covered because the notice was put in the local paper notified all the people notified in the past.

Commissioner Jones said that Mr. Mizee should have the opportunity to ask for a continuation. Commissioner Ousele agreed.

Mr. Mizee asked for a continuance because not all his neighbors received the notice.

Lisa Phipps, Long Range Senior Planner for Tillamook County said that the Commission can make the decision to continue the meeting on their own without putting that burden on the property owner. She also agreed with Vic Affolter in the notice can go to all property owners when it is noticed for the Board of County Commissioners meeting, but then the Planning Commission would not have the benefit of their input.

Commissioner Jones felt that for benefit of the property owners not notified, the decision should be postponed for a month to prevent longer delays due to appeals.

Commissioner Hoffman asked in the matter of CU-08-10 move that we continue the meeting to January 8, 2009 to allow for the notice of the neighboring property owners and the record will remain open.

Commissioner Jones seconded motion. The motion passed 4:0

VI. AUTHORIZATION FOR CHAIR TO SIGN APPROPRIATE ORDERS, IF NECESSARY: None

ADMINISTRATIVE DECISIONS: CU-08-16(a), GH-08-33(a), AR-08-10(a), DP-08-03(a), OA-08-04

VII. DEPARTMENT REPORT:

Lisa Phipps, Long Rang Senior Planner, Tillamook County gave the department report.

She said that the Land Conservation and Development Commission came to Tillamook last week and there were many people who attended the hearing. The Citizens Involvement Advisory Committee (CIAC), which is essentially the statewide CPAC, met last night. She said the CIAC listened to input from the Community and questions that they had. She said there was some confusion by the different uses of acronyms and that the CIAC didn't seem to understand that the CPAC's were fulfilling the same roles. She said that our local CPAC's will be sending them their minutes. She said that after the meeting CIAC voiced their opinion on how wonderful it was to see all the CPAC's we have in our communities. Ms. Phipps then asked the Planning Commission if they would like to have a workshop on prioritizing the Land Use Ordinance revisions and the goals for the year and if they would rather have it on a regular scheduled night or a different night. Commissioner Hoffman asked if the CPAC Chairs would also be attending. Ms. Phipps said yes, and that she would like to see three or four from each group attend. Ms. Phipps will go back to the office and check the scheduling calendar and then email the Commissioners with the date and time.

Commissioner Jones said he went to a Storm Water Management class. Commissioner Hoffman said she took the LCDC tour out to the jetty. Commissioner Ousele also attended the LCDC meeting.

Ms. Phipps said that the BOCC wanted her to tell the Planning Commission how pleased they were of the Commission is taking a leadership role in affordable housing issues in Tillamook County.

VIII. ADJOURNMENT:

There being no further business Chair Ousele adjourned the meeting at 10:30 PM

Gale Ousele-Chair

Kara Graves-Recording Secretary

Date