

# Pacific City/Woods Citizen Advisory Committee (PC/W CAC)

Minutes of the PC/W CAC Meeting on November 18, 2013, 6:30 pm  
Kiawanda Community Center, 34600 Cape Kiwanda Drive  
Pacific City, Oregon

**FINAL VERSION -- 12-21-13**

The meeting was called to order at 6:31 pm.

**1. Self-introductions – Ilean Rouse – Chair**

Officers and attendees introduced themselves. Fourteen people attended this meeting, including: Ilean Rouse – Chair; David Yamamoto – Past-chair; Roy Hansen - Treasurer, and Bud Miller – Secretary.

- 2. Guest Speaker – Patrick Wingard, North Coast Regional Representative, Ocean and Coastal Services, DLCD – Understanding Land Use Planning on the Oregon Coast/Part 1** – Mr. Wingard presented Chapter 6 of an on-line set of training programs covering the Estuaries Resources Management Program. He talked about and gave examples of the four types of estuary zones, which include the river/bay/ocean interfaces along our coast. Plans are adopted locally and structured to meet the requirements of Oregon Goal 16. They are specifically designed to protect long-term values of the existing estuaries, which vary from “natural” to highly developed, deep-draft ports with a maximum level of development. If changes are proposed, an impact statement must be prepared. In response to questions Patrick pointed out that the local standards are based on State policies, and he discussed the interaction with the federal requirements as well. He also covered the operation of the overall Oregon Coastal Management Program, which operated under the Oregon Department of Land Conservation & Development. Mr. Wingard will return to our January meeting to cover another Chapter of the training materials. The entire set of training Chapters can be viewed at

[www.oregonlandusetraining.info](http://www.oregonlandusetraining.info).

More information about the Oregon Coastal Management Program can be found at [www.oregon.gov/LCD/OCMP](http://www.oregon.gov/LCD/OCMP).

- 3. Minutes of the PC/W CAC Meeting on October 19, 2013 – Bud Miller – Secretary –** No changes or additions were offered, and the minutes were accepted by a unanimous voice vote of the members present. Mr. Miller thanked Roy Hansen and David Yamamoto for preparing these notes in his absence.
- 4. Treasurer’s Report – Roy Hansen – Treasurer --** The current balance on hand in our account is \$231.77. The Treasurer’s report was accepted by a unanimous voice vote of the members present.

5. **Committee Reports –**

- a. **Land Use Committee – Ilelean Rouse** - Looked at the Department of Community Development website and reported there have been no new actions in our area.
- b. **Community Plan Review Committee – Ilelean Rouse** – Ilelean and Gloria Scullin did meet with John Boyd, Department of Community Development (DCD) Director on October 15 to go over the Community Plan draft. He said he was very busy and had many other priority projects. Once he has reviewed and commented on it, the Plan will be presented to the CAC members.
- c. **Lighting Committee – Ilelean Rouse** – She submitted a copy of the proposed “Dark Skies” ordinance to John Boyd. He stated these are usually implemented by cities, and he is not sure such a rule would be appropriate for rural areas. He told her he would give to some thought to this process.

6. **Old Business –**

- a. **LCDC/OPAC/Territorial Sea Plan Amendment – David Yamamoto** – The Land Conservation and Development Commission (LCDC) held a meeting in Tillamook on Thursday, November 14, 2013, with about 50 people attending. They allowed Public Comment and more than the first hour was spent on adoption and publication of the Part 5 Amendment on October 7, 2013. Of the twelve who testified, eleven were critical of the adoption process used by the LCDC in October and January, with many commenting on their failure to adequately consider the recommendations of the TSPAC and OPAC. The commenters were especially critical of their ignoring of desires expressed by coastal individuals and interest groups. It was stated that inclusion of the Pacific City/Neskowin Renewable Energy Facility Suitability Study Area (REFSSA) in the approved amendment was a mistake and that the overall process used was flawed. LCDC response to the testimony was that they were sorry to hear the level of mistrust in the process this decision has generated. One Commissioner stated they had made an informed decision. Various Commission members went on to state there is no way to reopen the process now, that it has already been accepted by the State Department of Justice as well as the Federal government. Bud Miller commented that when the chair, Marilyn Worrax asked if anyone on the LCDC wanted to reopen this issue, Tim Josi responded with a no. He gave three reasons for this: 1) it would be a lengthy process; 2) there is a requirement for review of the decision in seven years in the law anyway; and 3) it would jeopardize the relationship with the Federal government. He went on to say he still thinks the Pacific City/Neskowin REFSSA makes no sense, but nothing will happen before the seven-year review. David finished up by stating that he and Charlie Ciecko will now go forward with an appeal of the decision making process. He also noted that FERC has approved a project about 16 miles off Coos Bay which is set up to use 500-foot tall windmills for power generation. This renews concerns about the killing of

- eagles, other predators, and marbled murrelets, the first two of which (along with numerous bats) is already occurring from land-based windmills. Approval of such a project (paid for with Federal grant money) reflects a bigger push for renewable energy from FERC, etc., which indicates that the prediction ‘nothing will happen soon’ locally is incorrect.
- b. **Accessory Dwelling Units – Ilelean Rouse** – At the CAC Chairs meeting on November 12, John Boyd announced the ordinance is ready to go, he just doesn’t know when they will have time to go forward. He has no plans to post it on their website or share it with the CAC’s before presenting it to the Planning Commission for approval. Barbara Taylor commented that no one on the WHTF is aware of what is going on with the approval process.
  - c. **NVCA – Gloria Scullin** – The officers signed the lease and license documents on November 16. The fee is \$490 for a 49 year lease. Lots of plans for the future.

## 7. **New Business –**

- a. **CAC Chairs Meeting – Ilelean Rouse** - This was the first such meeting since April 2012, with John Boyd there for the County. Sean Carlton & David Yamamoto also attended. The new planner Bryan Pohl was introduced. He is certified in watershed planning and flood plain management and will be the new Coastal Planner. Mr. Boyd stated that the other new planner has been hired and will report in January. He also mentioned that the DCD has applied for a \$35,000 grant from the LCDC to review legislation applying to update of the Comprehensive Plan and Land Use ordinances. There will be no hearings because these are already adopted as legislation. David commented that when he was asked, Mr. Boyd shared no other specifics about the process.

When discussion turned to pending and past land use applications, the meeting fell apart. Director Boyd was asked by the CAC Chair Jud Randall why Oceanside was not included in the process of approving a rock quarry near town. At first he was confused as to the actual location (thought it was near the east boundary of the County), and then went on to say his way of dealing with any land use application is to share no information with the local CAC on any land use request, just review and either approve or reject it within the DCD. Nothing will be made public until the decision has been made. Furthermore, his position is that the Board of Commissioners Order #13-034 (which governs how the County and the CACs interact) does not follow the letter of the law, so he has chosen to ignore it. John stated that one of the reasons for his approach of not notifying the public of land use actions is that sharing information of applications (before they are acted on) may violate the privacy of the applicant. He does plan to meet with the Commissioners to point out the flaws in the Order someday, but he has not yet found time to do so. In addition, Mr. Boyd said he still thinks the present structure of the CAC’s (by communities) is not allowed (even though it is stated in the Order) and wants to go back to his proposal in April to have three ‘regional groups.’ Furthermore, when it was pointed out that the Order says it is expected that there will be quarterly meetings between the DCD and the CAC’s, Mr. Boyd responded that he is too busy to do that, maybe we can meet next April. He also sees no need for the meeting in January between the Commissioners and the CAC Chairs that is “expected” in the Ordinance and did not want to hold one. Ilelean reported that the Chairs have already

schedule such a meeting for January 7, 2014 from 2:00 to 3:00 pm in Conference Room B. This is a public meeting.

After the presentation, there was a lively discussion among those present. It seems that Director Boyd's approach is in direct conflict with Order #13-034, as well as the spirit of cooperation in which it was written and approved. An attendee commented that in addition, it is completely contrary to the expectations of Oregon Goal 1, and it lacks common sense.

**b. LCDC Roundtable Discussion – Ilean Rouse** – Ilean attended both days of the LCDC meeting in Tillamook. It was unclear what their exact role is and how they interact with other jurisdictions. The Roundtable itself was just about urban growth boundaries and how to get more economic development.

**Announcements –**

- The next meeting of the Pacific City/Woods CAC will be on Saturday, December 21, 2013 at the Central Building starting at 10:30 am. There is no speaker scheduled.
- The Chamber of Commerce will have its annual Awards Banquet on December 3, 2013 at 6:00 pm. Attendance is by invitation only.
- NVCA will have a ceremony at the December 3 Chamber meeting to hand over the check and receive their key for the property, and to recognize all those who worked on getting the lease.

The Meeting was adjourned at 8:26 pm.

Please see our website at [www.pacificcitywoodscpac.org](http://www.pacificcitywoodscpac.org) for additional information.

*CAC's provide local citizens an opportunity to interact with their neighbors on local land use and other issues that impact their surrounding environment and are a valuable tool for decision-makers in formulating policies, rules and ordinances for land use and other community issues. This is a public meeting and public comment may be presented.*

*For further information contact Ilean Rouse – CAC Chair  
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