

Pacific City/Woods Community Planning Advisory Committee (PC/W CPAC)

Minutes of the PC/W CPAC Meeting on September 19, 2011, 6:30 pm
Kiawanda Community Center, 34600 Cape Kiwanda Drive
Pacific City, Oregon

FINAL VERSION -- 10/16/11

The Chair called the meeting to order at 6:34 pm.

1. **Self-introductions – David Yamamoto - Chair**
There were twenty-two people present at the meeting, including the following officers: David Yamamoto -- Chair; Gloria Scullin – Past-Chair; Sean Carlton -- Treasurer; Ilean Rouse – Chair-Elect; and Bud Miller – Secretary.
2. **Minutes of the PC/W CPAC meeting on August 20, 2011 – Bud Miller – Secretary –**
The minutes for this meeting were accepted by a unanimous vote by a show of hands from the members present.
3. **Treasurer’s Report – Sean Carlton – Treasurer -** Balance on hand is \$553.08. The Treasurer’s report was accepted by a unanimous vote of the members present by a show of hands.
4. **Guest Speaker – Kurt Heckeroth -- Chair Tillamook County Planning Commission**
-- Mr. Heckeroth was unable to attend the meeting. We will try to reschedule his appearance at a future CPAC meeting.
5. **Introduction of new Director of the Tillamook County Department of Community Development – David Yamamoto – Chair –** Valerie Soilihi, recently selected by the Board of Commissioners was introduced and welcomed back to our County. She responded that she was glad to be back and looked forward to working with us and others to find solutions to Land Use issues.
6. **Committee Reports**
 - a. **Community Plan Review – Ilean Rouse –** The Committee has not met for a while and will get together on next Monday, September 26 at 6:00 pm at the Rouse residence. Topics of discussion will include the draft Lighting Ordinance and implementation of a Property Inventory.
 - b. **Lighting Committee – Ilean Rouse –** They have forwarded the draft Lighting Ordinance to the CPRC for their consideration.
 - c. **Land Use Committee – David Yamamoto –** Introduced Sean Carlton as the new Chair of this Committee, elected at the September 13, 2011 LUC Meeting. **Sean Carlton** – He provided a good summary of the discussion at the 9/13 meeting on Variance Request V-11-01 for a reduction in the riparian setback requirement for “Nestucca Landing,” and the result, which was a resolution making no recommendation of support or opposition. This passed on that decision to the full CPAC membership at this meeting. It was noted that the Staff Report by the

Department of Community Development was not available for the LUC meeting. It was released on 9/16 and some of those at the CPAC meeting had an opportunity to review it. The report draws a generally favorable conclusion in response to the information submitted by the applicant, coming to a position in support of the Variance Request.

Applicant Greg Grinnell and Architect Kelly Edwards -- Presented drawings and information about the “Nestucca Landing” development proposal. They described the process they have been through to date, noting that the current plan for a restaurant and six townhouses as part of a Planned Development was designed before they became aware of the impacts of the riparian zone setback along the River. In order to avoid redesigning the project, the Variance Request was prepared to reduce the width of this setback from the 50-foot required in TCLUO (Tillamook County Land Use Ordinance) to a variable one of between 30 and 38-feet, allowing construction of the structures and parking lot as originally planned.

Mr. Grinnell and Mr. Stewart responded to questions from the attendees, some about the need and effects of the Variance itself and others about additional aspects of the proposed development. The following is a summary list of the topics discussed:

- It is unclear on the ground where the development is in relation to the topographical features of the site, the line of non-aquatic vegetation, and the 50-foot setback.
- Is the topographic feature being used as a reason for allowing the setback natural or man-made, since the relevant TCLUO refers to natural features?
- How will public access to the riverbank by fisherman be assured? Mr. Grinnell stated he was willing to provide a legal guarantee such access will be allowed.
- There are concerns about a proposal for a dock to be constructed and its effect on riparian habitat, fishing quality, and normal river movement. Mr. Grinnell commented on his reasons for including this structure, and stated that it may not be part of the final proposal.
- The possibility of future erosion problems and storm damage since much of the property is in the flood zone.
- It is unclear whether the statements made by the applicant and in the Staff Report concerning meeting of requirements of the TCLUO are enough to satisfy the criteria for granting a Variance.
- The effect of the ODFW (Oregon Department of Fish and Wildlife) letter indicates opposition to construction in the setback zone and indicates that if the Variance is granted there will be requirements for mitigation of effects on habitat is unclear.
- Whether or not the development is in the best interest of the Pacific City community.

The next step in the process is a hearing about V-11-01 at the Tillamook Planning Commission meeting at 7:00 pm on September 22, 2011. All the information submitted by the applicant and contained in the Staff Report, along with public testimony at the meeting will be taken into consideration by the Commission members.

As the PC/W CPAC part of this process, a motion was made and seconded as follows:

“The PC/W CPAC recommends support of the Setback Variance Request V-11-01.”

After a little more discussion, a vote by a show of hands of the CPAC members was taken. The result was eleven votes yes, three votes no, and three abstentions, so the motion is adopted. Sean Carlton, LUC Chair, will transmit this outcome along with other information to the DCD. It was noted that the By-laws of the CPAC allow that those that voted in the minority may also submit a statement.

7. **Old Business – David Yamamoto – Chair** – Because of the lateness of the hour, the topics of ADU Proposed Regulation Status, DOGAMI/FEMA Flood Mapping, and the CPAC Chairs Meeting of 8/26/11 will be carried over to the next PC/W CPAC meeting.
8. **New Business – Land Use Related** – It was suggested that in recognition of their providing us with places to hold our meetings, the CPAC should make donations to the Kiawanda Community Center and the Pacific Coast Bible Church. During the discussion that followed it was pointed out that the By-laws indicate this should be a decision of the Executive Board. The Board then voted to send a donation of \$50.00 to each of these two organizations as a thank-you for their assistance over the past years.
9. **Next Meeting of the Pacific City – Woods CPAC** – Will be on Saturday, October 15, 2011 at 10:30 am at the Central Building (next to the Post Office), 33570 Brooten Road, Pacific City.

The Meeting was adjourned at 8:07 pm.

Please see our website at www.pacificcitywoodscpac.org for more information.

CPAC's provide local citizens an opportunity to interact with their neighbors on local land use 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 David Yamamoto – CPAC Chair
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