

**NEHALEM PLANNING COMMISSION  
PLANNING MINUTES  
REGULAR MEETING  
OCTOBER 17, 2019**

Vice-Chair Lease called the Planning Commission Meeting to order at 6:00 p.m.

**PLANNING COMMISSION  
MEMBERS PRESENT:**

Janet Lease, Vice-Chair  
Lance Stockton, Commissioner  
Mary Jo Anderson, Commissioner  
Julie Chick, Commissioner

**STAFF PRESENT:**

Dale Shafer, City Manager  
Melissa Thompson-Kiefer, Asst. City Mgr./Recorder  
Don Davidson, Public Works Director  
Brian Moore, Maintenance Specialist II  
John Morgan, City Planner

**VISITORS:**

Lisa Phipps, DLCD  
Cynthia Alamillo, Manzanita City Manager  
Mary Lynn Morgan  
Debbie Moberly  
Frank Squillo  
Lane deMoll  
Barbara McLaughlin

Vice-Chair Lease led those present in the Pledge of Allegiance.

**MINUTES**

The Commission reviewed the minutes of the August 21, 2019 Planning Commission meeting. Commissioner Anderson **MOVED** to approve the minutes from the August 21, 2019 meeting as presented. Commissioner Stockton **SECONDED** the motion. **MOTION APPROVED 3-0 (Yes: Chick, Stockton, and Anderson; No: None).**

## **OLD BUSINESS**

### **PUBLIC HEARING: Recommendation of the Nehalem Comprehensive Plan to the Nehalem City Council.**

At 6:04 p.m., Vice-Chair Lease opened the public hearing.

City Planner John Morgan presented the staff report, reviewing some of the requirements of a Comprehensive Plan and explaining that the role of the Commission was to hold a formal public hearing on the proposed Plan and make a recommendation on adopting the Comprehensive Plan to the City Council. The staff report concluded that the proposed Comprehensive Plan update meets the standards necessary for approval.

There was discussion recalling the Planning Commission's two-year process of updating the Comprehensive Plan, including the community visioning process.

Lisa Phipps noted that the City may receive some comments on the Plan from the Department of Land Conservation and Development (DLCD) before the City Council hearing.

Vice-Chair Lease confirmed for the public that there would be additional opportunity for public comment at the City Council's public hearing of the Comprehensive Plan.

Assistant City Manager/Recorder Thompson-Kiefer and Mr. Morgan recommended several edits and corrections to be made before the Comprehensive Plan before goes to the Council, including the addition of maps. Ms. Phipps added that references to attending studies that develop the goals will also be included. Mr. Morgan said the adopting Ordinance will reference all of the materials (such as the Transportation Plan) used to develop the previous and updated Comprehensive Plan.

There being no further public comments or changes, Vice-Chair Lease closed the public hearing on the draft Comprehensive Plan at 6:18 p.m.

Commissioner Anderson **MOVED** that the Planning Commission approve the draft Comprehensive Plan as amended this evening and recommend its adoption to the City Council of Nehalem. Commissioner Chick **SECONDED** the motion. **MOTION APPROVED 3-0 (Yes: Chick, Stockton, and Anderson; No: None).**

## **NEW BUSINESS**

**PUBLIC HEARING: Code Enforcement Hearing Regarding a Violation of the City of Nehalem Zoning Ordinance in Multiple Particulars Relating to the Unapproved and Unpermitted Parking Arrangement Used for Wanda's Café. The subject property is located at 12880 H Street, Nehalem, Oregon, also known as map and tax lot 3N1027-BD-2900. The property is in the Commercial zone. The owners are Frank Squillo & Patrick Conner.**

At 6: 19 p.m., Vice-Chair Lease opened the public hearing.

Vice-Chair Lease noted that all Commissioners frequently drive by the subject property. There was no ex-parte communication or personal bias to declare and were no objections to the ability of a Commissioner to make a fair decision.

Vice-Chair Lease described the hearing process and performed the required statements for the hearing.

Vice-Chair Lease read aloud the staff report on behalf of City Manager Shafer. The report detailed the multiple aspects of the parking that are in violation of the City's ordinances and described that actions the Planning Commission could take in response. There was brief discussion clarifying violations that were depicted in the photos included in the City Manager's report.

Frank Squillo apologized to City Manager Shafer for his actions on a phone call regarding the parking violations. Mr. Squillo said he supported what the Commission wanted to do regarding the parking situation. He noted that the previous owner said there was never any previous contact from the City regarding parking. City Manager Shafer confirmed for Mr. Squillo that the Ordinances were in place before he purchased the property. Mr. Squillo shared that their striping was an attempt to bring order to the parking situation and explained their process. He shared interactions with customers who parked illegally. Mr. Squillo presented the Commission with a Proposal to Perform Architectural Services and explained that he had engaged the architect to design a new parking plan. He briefly described the potential new design. He said they would abide by whatever the City wanted him to do and wanted to be good neighbors.

There was brief discussion regarding drivers making U-turns in the Post Office parking lot. There was discussion regarding the possibility of the City installing a public parking sign on Highway 101. Public Works Director Davidson expressed concern about the concrete blocks that were installed on 9<sup>th</sup> Street and asked Mr. Squillo to ensure that there was adequate maneuvering space in the new parallel spots. A Commissioner recommended leaving the 3 existing head-in parking spots on 9<sup>th</sup> Street as is. City Manager Shafer recommended assessing fines and suspending them to allow abatement.

There was public comment applauding the reasonable agreement, and public comment expressing appreciation that Mr. Squillo was addressing the parking problem.

Mr. Squillo inquired about converting a nearby property into a parking lot. Mr. Morgan noted that a zone change would be required.

There being no further public comments, Vice-Chair Lease closed the public hearing at 6:50 p.m.

After discussion regarding the deadline for abatement and new parking plan approval process, Commissioner Chick **MOVED** to assess a fine of \$500 per day, beginning on the date notice was given, with the fines suspended until November 15, 2019 to allow the owners to take abatement

steps. Written plans including replacing the angled parking on 9<sup>th</sup> Street with parallel parking and redesigning the parking lot must be submitted to the City Manager for approval prior to the deadline. If the violations are fully abated, fines will not be assessed. Commissioner Anderson **SECONDED** the motion. **MOTION APPROVED 3-0 (Yes: Chick, Stockton, and Anderson; No: None).**

**DISCUSSION OF NOT ALLOWING ACCESSORY DWELLING UNITS (ADUs) AS SHORT-TERM RENTALS**

City Manager Shafer said there was public comment at the City Council meeting that ADUs should not be allowed to be used as short-term rentals. Mr. Morgan explained that it would be an amendment to the development code that requires notice. There was discussion regarding ADUs within city limits. City Manager Shafer said existing ADUs were grandfathered in. There was public comment suggesting limiting discussion to the Urban Growth Boundary. The Commission agreed to hold a hearing considering prohibiting the use of ADUs as short-term rentals within the Urban Growth Boundary. City Manager Shafer and Mr. Morgan explained that they will draft language that would prohibit ADUs to be used as short-term rentals. Testimony will be heard from those in favor and opposed, and the Commission can discuss the details. The Commission will make a recommendation to the Council, and the Council will hold a second public hearing. There was further discussion about short-term rentals. Ms. Phipps explained recent state legislation that allows restrictions on owner-occupation and off-street parking for ADUs only if they are being used as a short-term rental.

**PUBLIC COMMENTS**

There was public comment that there should be a cap on short-term rentals. Manzanita City Manager Cynthia Alamillo clarified that the cap in Manzanita is 17.5%.

**ADJOURNMENT**

The next Planning Commission meetings were tentatively scheduled for November 14, 2019 and December 19, 2019.

There being no further business, Vice-Chair Lease adjourned the meeting at 7:18 p.m.

**APPROVED:** \_\_\_\_\_  
Janet Lease, Planning Commission Vice-Chair

**ATTEST:** \_\_\_\_\_  
Melissa Thompson-Kiefer, Assistant City Manager/Recorder