

Gearhart Planning Commission Minutes for October 10, 2024

MEMBERS: Virginia Dideum, Russ Taggard, Don Frank, Eric Halperin, Paulina Cockrum, John Mesberg, and Jennifer Grey

STAFF: Chad Sweet, Peter Watts, Garrett Phillips, Adrienne Park, and Angoleana Torres

Minutes

The regular meeting of the Gearhart Planning Commission for Thursday, October 10, 2024, was called to order at 6:00 p.m. by President Virginia Dideum. *All Members, staff, and land use attorney were present except Mesberg who was excused.*

COMMISSIONER EXCUSED

On **MOTION** by Taggard, 2nd by Grey, to excuse John Mesberg from this meeting.

6 - in Favor – Dideum, Cockrum, Frank, Taggard, Halperin, Grey

0 – Opposed

CONSENT AGENDA

On **MOTION** by Halperin, 2nd by Cockrum, the consent agenda was approved. Said agenda approved Minutes for August 8, 2024 with one edit on page two paragraph two, the word spot edited to swap, financial report for September 24, 2024. No Correspondence

6 - in Favor – Dideum, Cockrum, Frank, Taggard, Halperin, Grey

0 – Opposed

STAFF REPORT

Sweet reported the progress on the Public Safety Building project is advancing. The project is now in its next phase, with an architect hired by Council consensus. The architect has begun gathering input from staff and will soon release dates for public meetings to gather community feedback. Additionally, a geotechnical (Geotech) study has been approved to assess soil and groundwater conditions at two potential building sites. The Geotech team will analyze soil types, sand compaction, and groundwater levels (notably near an aquifer at 12 feet) to aid in designing a secure foundation.

One confirmed test site is the current building location. A second site remains under discussion, with Council expected to explore options at an upcoming work session. One potential site previously offered by the Ordway family is no longer available due to a family decision to sell. The Council is also revisiting the possibility of a school site.

In geotechnical testing, soil and water data from city wells, reaching depths of 150–165 feet, will guide the foundation design. Past Geotech results at other sites (like Palisades) show lower liquefaction risk

when built 30 feet above the aquifer, suggesting higher foundation costs may be needed at the current location to address potential ground movement.

Sweet introduced Division Chief Andy Park, who joined over a year ago and serves as both a licensed paramedic and second-in-command of the fire department. Park has earned strong support from the volunteer team and is recognized for her exceptional work, intelligence, and positive contributions to the department.

Garrett Phillips reported on several development and land-use updates:

- **Building Permit Application:** A permit has been received for two lots at Second Street near Neacoxie Creek, solely for building purposes without requests for conditional uses or variances. The application is under review.
- A proposal for a bottle shop in the C-1 zone (downtown) involves retail wine sales, on-site consumption, and limited snack items. Phillips noted this might require further interpretation of land-use regulations, potentially needing a land-use interpretation or conditional use permit later this year.
- A variance request for a new entryway on a home in a R-2 medium-density residential zone will be addressed at a November meeting.
- **FEMA Compliance:** Following a joint work session with the City Council, staff was directed to develop a hybrid approach to incorporate FEMA's Endangered Species Act compliance into floodplain management. FEMA has scheduled information sessions on October 30-31 to aid in these efforts, with a more comprehensive discussion anticipated in November.

Watts provided feedback on the FEMA compliance process, highlighting the following points:

- **Progress Requirement:** The city must show it's actively working toward implementing FEMA's regulations, despite delays in receiving the necessary data and maps from FEMA, which were expected by August.
- **Hybrid Approach:** The city is considering a hybrid model that would adopt FEMA maps while allowing landowners to challenge map accuracy or specific property factors.
- **Governor's Request and Community Feedback:** The Governor has requested FEMA to pause the rollout due to incomplete information, and some communities are pushing back, though the city is focused on compliance.
- **Risk Assessment:** Watts emphasized the low risk of non-compliance by December, with final requirements due mid-next year. The city is positioned well compared to others and is on track to meet FEMA's requirements, ensuring continued eligibility for disaster relief funding.

Phillips explained that the application submitted prior to FEMA's compliance deadline is being reviewed under the current floodplain ordinance rather than potential future amendments. Should the applicant withdraw, or the application be denied and then resubmitted (for example, in 2025), it would be reviewed under any new ordinance in effect at that time.

Watts mentioned that he and Phillips have been actively working on the buildable land inventory and housing needs analysis, which will be discussed later in the agenda.

COMMISSIONERS REPORT

Dideum concluded by inviting comments from commissioners and briefly discussed the recent candidate forum, noting it had good attendance from Gearhart residents. Five candidates attended, and despite some initial nerves, the event went well, especially due to effective participation. Dideum mentioned that the forum recording is available on YouTube through the City of Seaside's channel for anyone interested.

GOALS LIST

Dideum noted the goals list and discussed past efforts to update the comprehensive plan, mainly focusing on correcting spelling, grammar, and minor content inconsistencies. There was a mention of feedback from a recent candidate forum, where the idea of updating the comprehensive plan was positively received by candidates, despite some unresolved editing needs. Dideum recalled that several years ago, a committee worked on these updates and submitted them to the City Council, although council didn't fully adopt them. They acknowledged the complexity of reading through the document, particularly with tracked changes and comments, and suggested that future reviews might benefit from a simpler presentation format.

VISITORS COMMENTS – None

PUBLIC HEARINGS

Dideum opened the public hearing at 6:30 p.m. on File #24-05ZMA - Zone change request submitted by SCOFI Gearhart, LLC, located at 1002 Pacific Way and further described as Assessors Plat 6.10.10BA, Taxlot 1500. Said request is to change the zone from Public and Semi-Public P/SP Zone to Low Density Residential R-1 Zone.

Dideum read the hearing disclosure and asked if any commissioners need to declare a conflict of interest in ex parte contact or personal bias.

- All commissioners visited the site.

Dideum asked the audience if anyone challenged the commission's ability to make an impartial decision.

- No Challenges.

Phillips began his overview of the staff report by reporting that on October 7, the applicant's representative requested a continuance for the hearing to April 10, 2025. This request was formally documented in a letter included in the public record and available online in the planning commission's meeting materials. The applicant cited the need for additional time to refine their long-term plans and property use considerations.

Phillips explained that, if approved, the city would continue to maintain and collect any new written testimony between now and April without re-issuing a hearing notice. Staff would ensure that all submitted testimony is recorded and accessible to the planning commission, and the staff report would be updated if any significant new information arises. Based on these factors, Phillips recommended granting continuance as a practical approach to support the applicant's planning needs. He concluded by

inviting the Commission to approve the continuance, with the hearing rescheduled to begin at 6:00 p.m. on April 10, 2025.

On **MOTION** by Taggard, 2nd by Halperin, to continue the public hearing to April 10th.

6 - in Favor – Dideum, Cockrum, Frank, Taggard, Halperin, Grey

0 – None

Commission will continue the hearing until April 10th at 6 p.m. planning commission meeting at Gearhart City Hall.

UNFINISHED BUSINESS – None

NEW BUSINESS – None

INFORMATION / DISCUSSION

Watts and Phillips shared updates on Gearhart’s recent assessment efforts for housing and infrastructure, offering insights for the community and council members.

Watts explained that in 2018, Gearhart conducted a buildable lands inventory and housing needs analysis for Clatsop County, revealing an overestimation of available housing units. After re-evaluation by consultants, the projected units were found to be about 50% lower than initially expected, mainly due to zoning misinterpretations and unaccounted restrictions, such as the no-build or Palmer line, which limits westward development.

Watts noted significant discrepancies between Portland State's population projections and actual growth rates, with Gearhart experiencing four times the projected population increase. These errors have had financial repercussions, as the state allocates funds, including gas tax and ARPA funds, based on these projections. Gearhart's underestimation led to missed funds, prompting proactive efforts to update these figures accurately.

Phillips added that 3J Consulting, hired through a grant from the Oregon Department of Land Conservation and Development, is working closely with Gearhart and Clatsop County to refine these assessments, factoring in the limitations of Gearhart’s infrastructure, including the lack of a sewer system. This work will inform a regional housing needs assessment that considers land availability, housing demand, and infrastructure, aligning with the state's planning objectives.

Council members inquired about the geographic scope, and Watts clarified it includes Gearhart's Urban Growth Boundary. He emphasized the need for accurate numbers across the county, as workforce and service demands extend beyond Gearhart’s borders, impacting neighboring regions and county-wide planning efforts.

The project is anticipated to take around a year to finalize and will go through state acknowledgment to ensure these figures guide both local and county infrastructure and funding needs.

CONCERNS OF THE COMMISSION – None

QUESTIONS FOR LAND USE ATTORNEY - None

The meeting was adjourned at 6:48 p.m.

Angoleana R. Torres, Secretary

Approved