



CITY OF GEARHART

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November 12, 2020

MEMBERS: Carl Anderson, Virginia Dideum, Stephanie Dudley, Terry Graff, Russ Taggard, Austin Tomlinson, and David Smith

STAFF: Carole Connell, Chad Sweet, Peter Watts

Minutes

The regular meeting of the Gearhart Planning Commission for November 12, 2020 via teleconference was called to order at 6:08 pm by President Virginia Dideum.

CONSENT AGENDA

On **MOTION** by Dudley, 2nd by Tomlinson, the consent agenda was unanimously approved, approving the minutes of October 8, 2020 and the financial report of November 5, 2020.

STAFF REPORTS

None

COMMISSIONERS REPORTS

Tomlinson reported on the Parks committee, reporting at the October meeting a decision was held to take public comment on how the parks should be managed. Committee members will be developing a questionnaire that will be sent out to the public to begin the public feedback into the plan.

GOALS LIST

No change

VISITORS COMMENTS

None

PUBLIC HEARING - C1 Zone Text Amendments #19-003ZTA

Dideum reopened the public hearing and asked if there was any conflict of interest or personal bias from any of the commissioners. None was declared.

Watts reported business owners and others were allowed to submit letters and this is the time to allow rebuttal on the letters. He also clarified everyone will be allowed a full opportunity to enter testimony in front of the council by letter or in person should the commission decide to move the amendments forward to the council.

Connell clarified this is not a public hearing, the public testimony portion of the hearing has been closed.

Correspondence was entered into the record from:

Letter from 13 business/ property owners in the C1 zone (Craig & Dana Weston, Tracy & Henry Hooper, Joy & Brian Sigler, Linda Shook, Jeff Ter Har, Traci Williams, Susan & Rick Thomas, Connie Cosner, Ann Samuelson) objecting to the planning commission process, adding most of the current businesses into outright use category, providing a list of businesses and activities that should be prohibited.

Connell summarized the process to date beginning when the commission noticed downtown businesses closing. Proposed changes are to allow businesses to modernize, have more options and be more successful eliminating the outdated and restricted language in the zone. Businesses have evolved and part of the process has been to incorporate those methods into the C1 zone as viable uses. She stressed not all suggestions from the businesses can be incorporated due to the restrictive nature of the Comprehensive Plan policies specifically to support the needs of the residents and not developing a tourist destination. Connell highlighted some of the suggested changes presented by the businesses; change in neighborhood café criteria, removal of off-street parking requirement, change in definition of formula use, allowance of residential space in commercial structures.

Dideum opened the floor to rebuttal.

Linda Goldfarb, P O Box 2716, Gearhart, business owner of By The Way - according to the letter submitted by Joy Sigler she stated her business has been illegally operating for the past 5 years, (Goldfarb) has been in business 7 years this coming March and has a license from the City of Gearhart and the State of Oregon that she has always been in compliance with as a variety store which includes having an espresso bar, she has never waived from that, and she is current on her payments. She (Sigler) said I was illegally operating as a neighborhood café and that is absolutely not true.

The commission proceeded with discussion on the proposed suggestions from Connell. Discussion followed on increasing the threshold in the Formula Use definition and the allowance of gambling and its criteria in regard to State law. On **MOTION** by Tomlinson, 2nd by Smith, by unanimous motion the amendments presented by Connell were excepted as an addition to the

proposed amendments (approved by PC 8-20-20) with the exception of increasing the threshold number in the formula use definition.

NEW BUSINESS

Final Plat Approval #20-01P – Banta Land Partition. Connell reviewed her report and recommendation of approval with no conditions, noting all conditions have been satisfied except #3 regarding tree removal permit, noting to date no construction has taken place on the site. On **MOTION** by Anderson, 2nd by Dudley, by unanimous motion final plat approval was granted to file #20-01P submitted by John Banta to partition one parcel of land into 3 lots for property located at 1060 McCormick Garden Road and further described as Assessors Plat 6.10.3DB, Tax Lot 800.


CONCERNS OF THE COMMISSION

None

QUESTIONS FOR THE LAND USE ATTORNEY

None

The meeting was adjourned at 7:05 pm. Due to lack of business and by consensus the December Planning Commission meeting is cancelled.



Cheryl A. Lund, secretary

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