

1 Depoe Bay City Council
2 Special Meeting
3 Thursday, June 16, 2005 - 7:00 PM
4 Depoe Bay City Hall
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7 PRESENT: Mayor J. White, P. Cameron, P. Taunton (arr 7:03 PM), A. Brown, G. Romans, J. Brown,
8 M. Laverty
9

10 STAFF: City Planner L. Lewis, Recording Secretary F. Dreamingtime
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12 I. CALL TO ORDER

13 Mayor White called the meeting to order at 7:00 PM.
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15 II. CONTINUE HEARING/COUNCIL DELIBERATIONS: Proposed Amendments to the

16 Comprehensive Plan, Zoning Ordinance, and Zoning Map Relating to Uses and Standards in the City
17 It was clarified that public input is not allowed during deliberations. Deliberations began with discussion
18 regarding the possibility of eliminating the proposed MC zone, and what would be appropriate alternate
19 zoning for those properties. Dick Johnson, Planning Commission Chairman, provided clarification on
20 the various proposed changes throughout the meeting. A Councilor cautioned against “spot zoning”.
21

22 Motion: Alice Brown moved to modify Section 4 of the Comprehensive Plan to eliminate Item E “the
23 highway level area with a direct view of the harbor”, which is an obsolete Marine Commercial zone.
24 Romans seconded the motion.
25

26 Mayor White said it was moved and seconded, and called for discussion. Lewis noted that if zoning is
27 changed on the MC properties, that the affected property owners should be notified so they can provide
28 input, and that public testimony would need to be re-opened. He also noted that DLCD would not have
29 an issue with rezoning unless the properties were directly on the waterfront, and changing the zoning on
30 isolated MC properties would result in spot zoning. Johnson recommended proceeding with
31 implementing the proposed changes as presented, and introduce re-zoning at a later date. Lewis offered
32 to bring recommendations as to proposed alternate commercial zoning for MC properties to a subsequent
33 meeting.
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35 Amendment: Alice Brown amended the motion to include re-zoning recommendations from the City
36 Planner. Romans accepted the amendment.
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38 Mayor White said it was moved and seconded, and called for further discussion. There was none.
39

40 Vote: Motion as amended failed.

41 Ayes: Cameron, Alice Brown, Romans

42 Noes: Taunton, White, Jack Brown, Laverty
43

44 Johnson summarized proposed changes to the R-1 zone. Discussion included the proposed elimination
45 of Item d. “Agricultural use of land provided that no livestock shall be raised or kept on the premises and
46 provided further that no commercial structure shall be constructed or maintained on the premises.”

1 Concern was expressed regarding whether people could have greenhouses and vegetable gardens. Lewis
2 noted that gardens are an accessory use as long as they're not for commercial purposes. Johnson clarified
3 there was no difference in meaning between "pre-fabricated or modular dwelling" and "manufactured
4 dwelling", and the terminology is just being updated. A Councilor requested that Item k. "Manufactured
5 dwelling" be deleted and inserted as Item b. in place of "~~Pre-fabricated or modular dwelling~~". Johnson
6 noted that R-2 through R-5 have the same proposed changes as R-1 except for 1) Item j.
7 "condominiums" was taken out because condominiums are a form of ownership rather than a use, and
8 2) Item d. "agriculture..." was made a conditional use in R-4 and R-5, rather than an outright use. A
9 Councilor questioned eliminating Item a. "cemetery", as a use; it was noted that there is not a compatible
10 location in any of the residential zones for a cemetery. No further changes were made to the proposed
11 residential zones.

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13 Johnson summarized proposed changes to the C-1 zone. A Councilor questioned eliminating Item r.
14 "Mortuary". Johnson said it wouldn't be appropriate in the downtown core and didn't seem appropriate
15 for neighboring businesses. It was the consensus of the Council to allow a mortuary in the C-2 zone. It
16 was the consensus of the Council to delete Item n. "Manager/owner/caretaker residence" from all
17 residential zones and C-1. There was lengthy discussion regarding uses that could be perceived as
18 detrimental or inappropriate to the C-1 zone, the importance of maintaining and improving the tourist-
19 oriented downtown core and avoiding "shopping barriers", and the right of property owners to do what
20 they want with their property, including whether certain businesses should or should not be allowed to
21 exist at street level on the highway. It was the consensus of the Council to make the following changes to
22 C-1: 1) Delete "Where fronting on the highway, not to be at highway level" from Item l. "Personal or
23 business service establishment..." 2) Change Item p. "Indoor commercial amusement..." to conditional
24 use. 3) Delete "Where fronting on the highway, not to be at highway level" from Item t. "Office". 4)
25 Delete Item gg. "Seafood market".

26 27 III. SCHEDULE CONTINUATION

28 A meeting to continue deliberations was scheduled for July 14, 2005 at 7:00 PM.

29 30 IV. RECESS

31 There being no further business, the meeting was recessed at 9:02 PM.

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Mayor James White

39 Fox Dreamingtime, Recording Secretary