

Depoe Bay City Council  
Special Meeting  
Friday, October 21, 2005 – 6:00 p.m.  
Depoe Bay City Hall

PRESENT: A. Brown, P. Cameron, P. Taunton, G. Romans, J. Brown

ABSENT: Mayor J. White, M. Lavery

STAFF: City Planner L. Lewis, City Recorder P. Murray

Council President A. Brown called the meeting to order and established a quorum.

Continue Hearing/Council Deliberations: Proposed Amendments to the Comprehensive Plan, Zoning Ordinance and Zoning Map Relating to Uses and Standards in the City

A. Brown asked Lewis to briefly review deliberations from the August 18<sup>th</sup> meeting and begin at the point where those deliberations stopped. Lewis said that review of the proposed C-3 uses had been completed and the standards section is the starting point to continue deliberations (C-3, page 4).

C-3, Sections 3.b, 3.c and 3.d (page 4): Discussion ensued regarding the reason for requiring buildings to be set back 50 feet from the highway right-of-way. Planning Commission Chair Dick Johnson, present in the audience, explained the intent is to create a landscaped entrance to the city and to encourage the east side to be visually similar to the existing development on the west side. Lewis added that this kind of requirement helps avoid the appearance of “strip” development, noting that the existing code requires buildings be at least 60 feet from the center line of the highway. Discussion included the following: Development on the west side of the highway is set back from the highway because the buildings were placed as close to the ocean as possible, development on the east side may also want to be as close to the ocean as possible. The new requirement (3.c) is in keeping with encouraging parking areas be provided behind structures rather than between the highway and buildings. It was clarified that sidewalks and curbs (3.d) would typically be located in the highway right-of-way and the state’s approval would be necessary. No changes were made to these sections.

C-3, Sections 3.e through 3.j (page 5): Lewis explained the minimum lot size of 1 acre (3.e) is to encourage and accommodate larger developments. Discussion ensued on the term “broken rooflines” (3.f) and the increased height limit to 45 feet. This is proposed to provide for architectural flexibility. J. Brown feels the term is ambiguous and invites use of the maximum height. A. Brown suggested deleting the term “broken rooflines” leaving only spires and towers excepted for the 45 foot height. Lewis suggested adding the limitation to three stories, leaving in broken rooflines. It was agreed to revise 3.f to read “No building in the C-3 zone shall exceed a height of 35 feet, *or three stories*, except for towers, spires and broken rooflines that may extend to 45 feet”. It was noted that 3.g is revised to correct a typo and it was clarified that the fencing is required on all sides. To be consistent with previous revisions to the same section in the C-2 zone it was agreed to revise 3.j to “Off street parking requirements shall be located *on the same lot* or ~~immediately~~ adjacent to the business location.....” Dick Johnson noted that section 4 (page 5) is proposed to be deleted because it refers to an old zoning code amendment and is obsolete.

MOTION: Cameron moved to accept the changes in the C-3 section as discussed. Romans seconded the motion.

A. Brown said it was moved and seconded and called for discussion. Concerns were voiced that motions should not be made on changes made tonight due to members being absent.

VOTE: Motion failed.

AYES: A. Brown, Romans

NAYES: P. Cameron, P. Taunton, J. Brown

MOTION: Romans moved to adjourn the meeting until all members are present and the Council is able to move to accept changes. Motion died for lack of a second.

It was agreed to continue to review the proposed amendments without making formal motions, agreeing by consensus to any revisions. Review of the proposed C-4 section began with it being clarified that the proposed C-4 zone is the current C-1 zone east of the harbor.

C-4, Section 1. Uses Permitted Outright (pages 1,2,3): Lewis explained the proposed requirement for family dwellings to not be located at parking lot level (1.a.) is added to retain the limited parking in the harbor parking lot for commercial uses. Romans asked why this area should have a separate zoning designation since there are only about 12 lots involved, he feels there are too many zones being created. It was explained that the regulation differences are to address the location near the harbor and regulations for the downtown area are not necessarily compatible with the harbor area. The intent is to maintain uses at the harbor as those primarily dependent upon proximity to the water. Uses relating to water-dependency are added to the proposed C-4 zone that are not allowed in the C-1 zone. Taunton cautioned that it may not be economically viable to maintain these historic water-dependent uses and the City should be careful of what it is trying to protect. Discussion occurred on the proposed deletion of items 1.b- Manufactured dwelling, 1.k- Manufacture of goods offered for sale on premise, 1.p- Indoor commercial amusement, and 1.q- Mortuary, and it was agreed to re-instate 1.k as an outright use and 1.p as a conditional use. It was also agreed to delete proposed item 1.hh-Seafood market, since it is redundant to 1.i- Retail store. It was clarified that Office (1.s) is an office other than an office in conjunction with another allowed use. J. Brown asked if the wording “where fronting on the harbor parking lot, not to be at parking lot level” should be deleted throughout. Referencing parking requirements for the C-4 zone (page 5), Dick Johnson explained this is proposed to address the limited area to provide parking and an effort to retain the harbor parking lot for commercial uses not needing overnight parking.

C-4, Section 2. Conditional Uses Permitted (pages 3,4): Romans asked if existing businesses will be grand-fathered. Lewis responded that all existing businesses are included in the proposed uses for the C-4 zone, grand-fathering uses is not an issue. There were no changes made to this section.

C-4, Section 3. Standards (pages 4,5): It was agreed to modify 3.e- Off street parking requirements to be consistent with previous revisions to the same section in the C-2 and C-3 zones, re-instating “*on the same lot*” and deleting “*immediately*” in the section.

L-I, Section 1. Outright Uses (pages 1,2,3): Dick Johnson noted the new wording at the top of page 1, *For those lots adjoining the highway, the outright and conditional uses and standards of the C-2 zone are also permitted except dwellings are not to be located at highway level.* is the most major proposed

change to this zone. Lewis noted the proposed change to 1.b-Retail store is intended to require that the manufacture of products be the dominating use with retail being secondary. A. Brown noted that 1.j-Mortuary had been re-instated in the C-2 zone in previous deliberations, it was agreed to re-instate the use in the L-I zone as well. Discussion occurred on the following proposed deletions: 1.q-Retail sale of sporting goods or bait is now included under 1.b. 1.r-Auto, truck, trailer sales, service, rental, storage, repair, 1.w-Implement, machinery, heavy equipment sales, service, storage, rental and 1.cc-Truck terminal, freight depot to eliminate uses generally considered to be more heavy industrial versus light industrial. 1.s-Boat or marine equipment sales, service, storage, rental, repair and 1.ee-Wholesale establishment are moved to conditional uses. Romans asked if “repair” is being eliminated from this zone. Lewis noted that repair is addressed in items 1.jj and 2.w. J. Brown suggested item 1.hh-Public or private parking lot be modified to include parking structures. It was agreed to revise to read “Public or private parking lot *or structure....*”

In response to a question it was clarified that the existing listed use “condominiums” is deleted throughout the proposed amendments because it is defined as a form of ownership and not a use.

It was agreed to delete proposed items 1.kk, 1.nn, and 1.qq since all are included under item 1.jj.

L-I, Section 2. Conditional Uses Permitted (page 3): A. Brown suggested that 1.a-Community Center be re-instated. It was agreed to re-instate this conditional use.

The meeting is continued to the November 1, 2005 regular council meeting for the purpose of scheduling the next special meeting to continue deliberations.

Meeting was adjourned at 8:02 p.m.

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Council President Alice Brown

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Pery Murray, City Recorder