

1 Depoe Bay Planning Commission
2 Regular Meeting
3 Wednesday, February 11, 2009 - 6:00 P.M.
4 Depoe Bay City Hall

5
6 PRESENT: S. McGavock, S. Scopelleti, B. Taunton, D. Goddard, E. Hough, R. Hageman, P. Leoni
7 ABSENT: S. Scopelleti, B. Taunton,
8 STAFF: City Planner L. Lewis, Recording Secretary C. Duering

9
10 I. CALL MEETING TO ORDER

11 Goddard called the Meeting to order and established a Quorum at 6:00 P.M.

12
13 II. APPROVAL OF MINUTES: September 18, 2008 Regular Meeting.

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15 Motion: Hageman moved to approve the Minutes of the September 18, 2008 Regular Meeting as
16 written. Taunton seconded the Motion.

17
18 Goddard said it was moved and seconded, and called for discussion. There was none.

19
20 Vote: Motion passed.

21 Ayes: McGavock, Scopelleti, Taunton, Goddard, Hageman

22 Abstain: Hough, Leoni

23
24 III. ELECTION OF PRESIDENT AND VICE-PRESIDENT

25 Hough nominated D. Goddard for President. Leoni seconded.

26
27 Vote: President – D. Goddard

28 Show of Hands: McGavock, Scopelleti, Taunton, Hough, Hageman, Leoni

29
30 Hough nominated R. Hageman for Vice-President. S. Scopelleti seconded. Hageman nominated S.
31 Scopelleti. McGavock seconded.

32
33 Vote: Vice-President – R. Hageman

34 Show of Hands: McGavock, Scopelleti, Taunton, Hough, Goddard, Leoni

35
36 Vote: Vice President – S. Scopelleti

37 Show of Hands: Hageman

38
39 IV. ITEMS FROM THE AUDIENCE

40 There were no items from the Audience.

41
42 V. NEW BUSINESS

43
44 A. City Council Liaison Schedule

45
46 Lewis prepared a Memo proposing a 2009 Liaison Rotation Schedule (copy attached to original of these
47 Minutes). Goddard stated that if anyone has a conflict to make arrangements with another Member to

1 attend the City Council Meeting on their behalf. She encouraged them to call her if they are
2 unsuccessful in finding a replacement.

3

4 B. Discuss Possible Zoning Ordinance Amendments

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6 Goddard referred to the Memo prepared by the City Planner (copy attached to original of these Minutes)
7 and asked the Planning Commissioners to read the Zoning Ordinances identified in the list and come
8 prepared for discussion on these and/or other areas of the Code at the next Meeting. Lewis will prepare
9 a Preliminary Draft of Recommended Amendments for their consideration (assist in addressing the
10 items). Lewis noted: FEMA will be completing their updates sometime in May 2009 for Planning
11 Commission review and discussion at that time (per DLCD/FEMA the Flood Hazard Zone Amendments
12 need to be updated by November 2009). Lewis briefly discussed his Memo responding to a
13 Commissioner's concern regarding Street Maintenance (copy attached to original of these Minutes). A
14 Commissioner asked if the City has a Map specifying Private or City maintained or not maintained
15 Public Streets. Lewis was not aware of a Map but would research the matter. Lewis also mentioned
16 some additional items for inclusion in the Zoning Ordinance Amendments: Add Manufactured
17 Dwelling as a Use permitted outright in the R-1 Zone (Per Oregon Revised Statute all Land Zoned for
18 Single Family Residential Uses shall allow Manufactured Homes); additional language and clarification
19 on Continuances vs. Extensions of a Public Hearing; Oregon Revised Statutes (ORS) are referenced in
20 the DBZO (many of these reference the 2001 Edition of the ORS. Several ORS numbers change with
21 newer ORS Editions) references to ORS should reference the "applicable newest or latest ORS version"
22 in order to be legally protected. The Planning Commissioners suggested additional topics for
23 consideration: Private Road Right-of-Way (20' in width Easement) vs. Flag Lot Access (Staff
24 measurement minimum 25' Frontage); Building Height/View Protection and Variance/Exceptions to the
25 Standards. The Planning Commissioners commented on DBZO Section 4.820.2(a)(2) Coastal
26 Shoreland "Area of Visual Concern" – 40' vs. 25' Area of Visual Concern. Lewis volunteered to
27 prepare an assessment of affected Properties.

28

29 VI. PUBLIC HEARING ITEMS

30

31 A. Case File: #3-PAR-PC-08 (Continued to the March 11, 2009 Meeting)

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Applicant: Depoe Bay, L.L.C.

33

Application: Request for 3-Lot Partition

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Map and Tax Lot: 09-11-05-B #1109

35

Location: North End of Depoe Bay on the east side of Highway

36

37 Lewis announced that he has since received an e-mail from the Attorney representing the Applicant
38 (copy attached to original of these Minutes) requesting that the Planning Commission Hearing in the
39 above matter be continued to the May 2009 Planning Commission Meeting to allow sufficient time to
40 work out a development agreement with the adjacent Property Owner. Lewis will be reviewing the
41 Oregon Statutes regarding limitations on Extensions of the 120-Day Period. Applicant may need to
42 request an earlier Public Hearing Date. A Commissioner asked Lewis to clarify in the event the
43 Application is withdrawn what is the policy. Lewis summarized at the time a Land Use Application is
44 submitted there is a Non-Refundable Fee and a Deposit collected. Expenses (i.e. Staff Time, Legal
45 Notice, Postage, etc.) incurred by the City are deducted from the Deposit and any remaining funds are
46 refunded or if the funds are insufficient the balance is invoiced. A Commissioner asked in a situation
47 where an Application is delayed over a lengthy period of time does the City Re-Notice surrounding

1 Property Owners. Lewis quoted the Oregon Revised Statute. If an Application is continued to a date
2 certain the City is not required to Re-Notice but as a courtesy the City has typically kept those who have
3 provided Written or Oral Testimony informed.
4

5 VII. UNFINISHED BUSINESS

6 Goddard publicly expressed her sincere appreciation for Connors' time and effort on the Planning
7 Commission. A Commissioner suggested Goddard attend the next City Council Meeting to thank her.
8

9 VIII. CITY COUNCIL LIAISON REPORT

10 Hageman reported City Council voted to appoint Jim Wahl to the Harbor Commission and Gerry
11 Engleman to the Parks Commission and there was extensive discussion regarding the U.S. Navy Hearing
12 in Newport and their proposed activities and the deadline for Public Comment.
13

14 IX. PLANNER'S REPORT

15 Lewis reviewed his Report (copy attached to the original of these Minutes).
16

17 X. PLANNING COMMISSION CONCERNS

18 Goddard reminded the Commissioners to file their Quarterly Public Official Disclosure Form with the
19 Oregon Government Ethics Commission. There was brief discussion regarding the Quarterly Filing
20 Deadline. Leoni revealed her City Hall issued Red Power Ranger Regalia and told the tale of Depoe
21 Bay's very own Mighty Morphen Power Rangers.
22

23 XI. ADJOURN

24 There being no further business, the Meeting was adjourned at 6:40 P.M.
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27

28 _____
Dorinda Goddard, President

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30
31 _____
32 Carla Duering, Recording Secretary