

1 Depoe Bay Planning Commission
2 Regular Meeting
3 Wednesday, July 10, 2013 – 6:00 P.M. Depoe Bay City Hall

4
5 PRESENT: B. Blessinger, B. Taunton, P. Leoni, R. Hageman, J. Hayes, M. Kiefer
6 ABSENT: G. Steinke
7 STAFF: City Planner L. Lewis, Recording Secretary C. Duering

8
9 I. CALL MEETING TO ORDER

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

11
12 II. APPROVAL OF MINUTES: June 5, 2013 Regular Meeting.

13
14 Hayes noted the date of the Meeting (Page 1 of 4, Line 3) was incorrect. Kiefer was unclear how he
15 could make a Motion and second a Motion (Page 1 of 4, Line 19). The Planning Commission agreed to
16 correct the Minutes to *Wednesday, June ~~12~~ 5, 2013 – 6:00 P.M. and Kiefer seconded the Motion made*
17 *by Leoni.*

18
19 Motion: Leoni moved to approve the Minutes of the June 5, 2013 Regular Meeting as amended.
20 Blessinger seconded the Motion.

21
22 Vote: Motion passed.

23 Ayes: Blessinger, Leoni, Hageman, Kiefer

24 Abstain: Taunton, Hayes

25
26 III. ITEMS FROM THE AUDIENCE

27 There was none.

28
29 IV. PUBLIC HEARING ITEMS

30
31 A. Case File: #1-PAR-PC-13

32 Applicant: Maui Dream, L.P.

33 Application: Request for 3-Lot Partition

34 Zone, Map and Tax Lot: Residential R-1, 09-11-17-CB #00400

35 Location: Whale Cove – West of Hwy. 101, South of McDonald Avenue

36
37 Hageman stated there was no need to read the “Raise it or Waive It” Statement – No Audience this
38 evening. Lewis summarized the Staff Report (copy attached to original of these Minutes). He noted
39 after preparation of the Staff Report the Applicant submitted a Letter and a copy of an Article published
40 in The News Guard December 24, 2008 Edition (copies attached to original of these Minutes). There
41 was no Written Testimony in support or in opposition of the Application. At the request of Hageman
42 Lewis clarified Tentative Approval and Final Approval.

43
44 Hageman asked the Commissioners if they had any questions. Discussion ensued regarding the
45 following: Subject Lots are in the Coastal Shorelands Overlay Zone – Any Development would require
46 the Property Owner to submit a Coastal Shorelands Application prior to construction (Public Hearing –

1 Reviewed and Approved/Denied by the Planning Commission); Subject Lot #1 future Development
2 constraints – Topography, wetlands, size, and shape; DBZO Section 14.040 General Requirements and
3 Standards of Development Design, Item 11. Lots and Parcels, b. *Each Side Line shall be as close to*
4 *perpendicular to the Adjacent Street/Road or Radial to a Curved Street/Road as possible.*
5

6 Hageman stopped the discussion to ask if any Commissioner had ex-parte contact, conflict of interest, or
7 bias to declare. There was none. There was no objection to any Planning Commissioner hearing the
8 Case. The Applicant was not present. There was no Testimony in support of the Application and no
9 Testimony in opposition. There was no request to keep the Record Open.

10
11 Discussion continued regarding: Consideration/relevance of the Applicant’s Intent specifically Parcel
12 #3 (conservation, protection of view and natural habitat around Whale Cove) and meeting DBZO
13 Requirements (Sections 14.040 General Requirements and Minimum Standards of Development Design,
14 Item 13. Water; Item 14. Sewer; Item 15. Surface Drainage and Storm Water); reiterated Subject Lots
15 are located in the Coastal Shorelands Overlay Zone; Lot #1 development constraints and reconfiguration
16 of Property Lines/Lots; Public Access limitations and Scenic-Byway benefits (scenic view corridor –
17 Hwy. 101 vehicular and Oregon Coast Trail pedestrian traffic).
18

19 Lewis reviewed his discussion notes pertaining to the Findings: (1) Disregard the Applicant’s Intent
20 except in relationship to Water, Sewer, Surface Drainage and Storm Water Requirements (2) Clarify that
21 Development (as defined in the DBZO) of any of the three Parcels will need to adhere to the Coastal
22 Shorelands Standards and Procedures and require the City Superintendent’s Final Approval of Water,
23 Sewer, and Storm Drainage Construction. Brief discussion ensued.
24

25 Motion: Hageman moved to approve Case File #1-PAR-PC-13 (Request for 3-Lot Partition) and adopt
26 the Conditions of Approval (Items. 1. Thru 4.) as recommended and amended by the City Planner and as
27 discussed by the Planning Commission (eliminate all but what is absolutely necessary of the Applicant’s
28 Intent and add a separate Condition of Approval – Development on any of the three Lots will require
29 Review/Approval by the Planning Commission because of Coastal Shorelands provisions). Blessinger
30 seconded.
31

32 Hageman said it was moved and seconded, and called for discussion. Hageman and Blessinger agreed
33 to amend the Motion to direct Lewis to prepare the Findings, Conclusions, and Final Order for review
34 and approval at the next Planning Commission Meeting.
35

36 Vote: Motion passed.

37 Ayes: Taunton, Leoni, Hageman, Hayes, Kiefer, Blessinger
38

39 V. NEW BUSINESS

40 There was none.
41

42 VI. UNFINISHED BUSINESS
43

44 A. Oregon’s Land Use Planning Training Videos

45 Hageman delayed to after adjournment of the Meeting (Commissioners will have the option to leave if
46 necessary.)

1 VII. CITY COUNCIL LIAISON SCHEDULE AND REPORT

2 Hageman reported: Council moved to task the new Economic Business Development Committee to
3 conduct a comprehensive survey and reminded the Planning Commission that the Committee's Planning
4 Commission Member Position is vacant. Brief discussion ensued.

5
6 VIII. PLANNER'S REPORT

7 Lewis reviewed the Planners Report – Land Use Activity June 1st thru July 3rd (copy attached to the
8 original of these Minutes). The Planning Commission discussed: Lincoln County Planning and
9 Building Department Permit Requirements for Roofing; the construction activity at the Depoe Bay Rural
10 Fire Protection District Station and a residence at 515 Coast Avenue; Existing Lane Street *(corrected at the*
11 *8/14/13 Planning Commission Meeting)* Manufactured Home has been removed (Case File #1-C1-PC-13).

12
13 IX. PLANNING COMMISSION CONCERNS

14 Taunton mentioned the Parking Lot (privately owned) at Collins and Conway that put up a Sign
15 charging \$5 for Parking and to pay at the Joan-E Gift Shop. Discussion followed regarding: the issue
16 was discussed at the July 3, 2013 City Council Meeting; synopsis/history of the Joan-E Gift Shop and
17 the Lareisa Plaza Off-Street Parking Lots and compliance to DBZO Section 4.030 Off-Street Parking
18 Requirements and Off-Street Loading Requirements; impact on the Free Parking Lots; Parking
19 Requirements can be a major deterrent to Commercial Development; City Funds being used to
20 purchase/provide Free Public Parking Lots (Day Use – no Revenue for the City of Depoe Bay) for
21 Business/Commercial Establishments versus improvement to the quality of living for the entire
22 Community/Residents; and Fee Parking Garages.

23
24 There was also discussion regarding: City of Depoe Bay Sign Regulations and Permit Procedures;
25 O.D.O.T. enforcement (i.e. awnings, sandwich boards, flags, etc.) on Highway 101 Sidewalks/Right-of-
26 Way; the Planning Commission considering a review of the Sign Ordinance in the future; the City of
27 Waldport is currently in the process of a Sign Ordinance Review – potential example/template once
28 completed; and Signage being superseded by GPS Navigation Systems.

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30 X. ADJOURN

31 There being no further business, the Meeting was adjourned at 7:20 p.m.

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37 Roy Hageman, President

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41 Carla Duering, Recording Secretary