

1 Depoe Bay Planning Commission  
2 Regular Meeting  
3 Wednesday, February 12, 2014 – 6:00 P.M. Depoe Bay City Hall  
4

5 PRESENT: B. Taunton, P. Leoni, R. Hageman, M. Kiefer  
6 ABSENT: G. Steinke, B. Blessinger, J. Hayes  
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: January 8, 2014 Regular Meeting.

13 Motion: Leoni moved to approve the Minutes of the January 8, 2014 Regular Meeting as written. Kiefer  
14 seconded.

15 Vote: Motion passed.

16 Ayes: Taunton, Leoni, Hageman, Kiefer  
17

18 III. ITEMS FROM THE AUDIENCE

19 There was none.  
20

21 IV. PUBLIC HEARING ITEMS

22 There was none.  
23

24 V. UNFINISHED BUSINESS

25 A. Case File: #1-VAR-PC-13 (Findings, Conclusion, and Final Order)

26 Applicant: Harry and Colleen Schmidt

27 Application: Variance to Setback Standard

28 Zone, Map and Tax Lot: Residential R-4, 09-11-08-AB #03000

29 Location: 125 S.E. Bay Avenue

30 Hageman explained why at the January 8, 2014 Meeting the Planning Commission agreed to have Lewis prepare  
31 the Findings, Conclusion, and Final Order (copy attached to original of these minutes) for review and approval at  
32 the following meeting. The Planning Commission and City Planner reviewed and discussed the following:  
33

34 Amending (Page 5 of 5) Item 5. Circumstances for Granting a Variance d. *The hardship is not self-imposed and*  
35 *the variance requested is the minimum variance which would alleviate the hardship. PLANNING COMMISSION*  
36 *FINDING: The Planning Commission ~~does not~~ finds there is ~~a~~ no hardship and ~~finds that a smaller deck could~~*  
37 *~~be built~~ the issue is self-imposed. This circumstance is not satisfied.*  
38

39 An appeal to the Planning Commission decision to City Council is to be filed with the City within 15 days of the  
40 effective date. The significance of the “raise it or waive it” Statement *Testimony and evidence given must be*  
41 *directed toward Criteria described by the City Planner, or other Criteria in the Code that the Testifier believes*  
42 *apply to the request. Failure to raise an issue, accompanied by statements or evidence sufficient to afford the*  
43 *Commission and the parties an opportunity to respond to the issue precludes appeal to the State Land Use Board*  
44 *of Appeals on that issue. Application materials or other evidence relied upon by the Applicant had been provided*  
45 *to the City and made available to the Public.*  
46

47 The City Planner spoke with the Applicant last week and he intends to tear down the Deck within the next month  
48 and a half.

49  
50 The Deck Posts are not in the City Right-of-Way and are a significant distance from the Existing Retaining Wall.

51  
52 Any further improvements (i.e. bench) by the Applicant will need to be constructed within the parameters of the  
53 Subject Site.  
54

1 Motion: Leoni moved to approve the Findings, Conclusion, and Final Order for Variance Request (Case File #1-  
2 VAR-PC-13) as recommended and amended (Item 5.) by the Planning Commission and City Planner. Kiefer  
3 seconded.

4  
5 There was no discussion.

6  
7 Vote: Motion passed.

8 Ayes: Leoni, Hageman, Kiefer, Taunton  
9

10 VI. NEW BUSINESS

11 Hageman mentioned that he had a conversation with Taunton regarding scheduling a Depoe Bay Zoning  
12 Ordinance (DBZO) and applicable State Regulations Training Session and then followed-up with Lewis. After  
13 lengthy discussion the Planning Commission agreed to have Lewis schedule a Training Session (next month,  
14 Monday, late afternoon i.e. 4 or 5 p.m.) with Matt Spangler, Senior Coastal Policy Analyst, Oregon Department  
15 of Land Conservation & Development (DLCD) specifically with an emphasis on Planned Developments and  
16 Conditional Uses. The Planning Commission tasked Lewis with: (1) Identifying the applicable portions of the  
17 DBZO (2) Preparing a list of prior Planned Development issues, discussions and resolutions; (3) Invite City  
18 Council to attend.  
19

20 VII. CITY COUNCIL LIAISON SCHEDULE AND REPORT

21 Kiefer reported it was a well-attended lively meeting with no items pertaining to the Planning Commission. The  
22 Planning Commission discussed: (1) Offer of Gift of Property to City from the K. Henry and M. Louise Granat  
23 Living Trust and Russ Hunter's request for Access; (2) the necessity of a Long-Term City Plan for management  
24 of Parking and Parking Lots; (3) Recording a Deed Restriction on Property designated to meet DBZO Parking  
25 Requirements; (4) Downtown Parking Structure.  
26

27 VIII. PLANNER'S REPORT

28 Lewis reviewed the Planners Report – Land Use Activity January 1<sup>st</sup> thru February 5<sup>th</sup> (copy attached to the  
29 original of these Minutes). Applicant John and Mia Liu Zhen (Case File: #2-GEO-PC-13 - Geologic Hazards  
30 Permit) has signed an extension to the 120-Day Limit. Lewis anticipates a Conditional Use Application (former  
31 Depoe Bay Raceway Building) on next month's Agenda  
32

33 IX. PLANNING COMMISSION CONCERNS

34 Kiefer restated his concerns regarding the proposed changes to Highway 101 - turning 4-lanes into 3-lanes with a  
35 bike lane. Lewis answered the next Transportation System Plan Community Advisory Committee Meeting has  
36 been rescheduled to March and at that time the recommended improvement alternatives will be presented,  
37 reviewed and discussed as part of the fact finding process. Lengthy discussion followed. Taunton again  
38 expressed her continued concern regarding City of Depoe Bay Sign Regulations and Permit Procedures. Lewis  
39 responded the City of Waldport is currently in the process of a Sign Ordinance Review – potential  
40 example/template once completed. Discussion ensued.  
41

42 X. ADJOURN

43 There being no further business, the Meeting was adjourned at 6:50 p.m.  
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45

46  
47 \_\_\_\_\_  
48 Roy Hageman, President

49 \_\_\_\_\_  
Carla Duering, Recording Secretary