

1 Depoe Bay Planning Commission  
2 Regular Meeting  
3 Wednesday, March 11, 2015 – 6:00 P.M.  
4 Depoe Bay City Hall  
5

6 PRESENT: B. Taunton, P. Leoni, R. Hageman, J. Hayes, B. Lewis  
7 ABSENT: G. Steinke, B. Blessinger  
8 STAFF: City Planner L. Lewis, Recording Secretary C. Duering  
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10 I. CALL MEETING TO ORDER

11 Hageman called the Meeting to order and established a Quorum at 6:00 P.M.  
12

13 II. APPROVAL OF MINUTES: February 11, 2015 Regular Meeting.  
14

15 Motion: Hayes moved to approve the Minutes of the February 11, 2015 Regular Meeting as written. Leoni  
16 seconded.  
17

18 Vote: Motion passed.

19 Ayes: Taunton, Leoni, Hageman, Hayes, B. Lewis  
20

21 III. ITEMS FROM THE AUDIENCE

22 There was none.  
23

24 IV. PUBLIC HEARING ITEMS

25 A. Case File: #1-CS-PC-15 (Continued)

26 Applicant: Rod and Hideko Anderson

27 Application: Coastal Shorelands Overlay Zone Development,  
28 Geologic Hazards Permit, and Variance

29 Zone, Map and Tax Lot: Residential R-1, 09-11-08-BD #05500

30 Location: 625 S.W. Coast Avenue  
31

32 Hageman said Testimony and evidence given must be directed toward Criteria described by the City Planner, or  
33 other Criteria in the Code that the Testifier believes apply to the request. Failure to raise an issue, accompanied  
34 by statements or evidence sufficient to afford the Commission and the parties an opportunity to respond to the  
35 issue precludes appeal to the State Land Use Board of Appeals on that issue. Application materials or other  
36 evidence relied upon by the Applicant had been provided to the City and made available to the Public. Hageman  
37 asked if any Commissioner had ex-parte contact, conflict of interest, or bias to declare. There was none.  
38

39 Lewis summarized his Memorandum dated March 4, 2015 (copy attached to original of these Minutes). Hageman  
40 asked if the Commissioners had any questions to address to the City Planner. There was none.  
41

42 Hageman then asked if anyone had objection to any Planning Commissioner hearing the Case. There was no  
43 objection. Hageman thanked the Applicant for providing the additional information.  
44

45 The Applicant was given an opportunity to testify and answer questions from Commissioners.  
46

47 Rod Anderson, Owner, (mailing address 5253 37<sup>th</sup> Ave. S.W., Seattle, Washington 98126) and Dustin Capri,  
48 Capri Architecture, (mailing address 747 S.W. 13<sup>th</sup> Street, Newport, OR) came forward to answer questions from  
49 the Planning Commission.  
50

1 There was lengthy discussion regarding the Applicant's telephone conversation and exchanged e-mails with the  
2 neighbor across the street (Steve and Vee Hand) who originally submitted Written Testimony in opposition to the  
3 request and later via e-mail stated *I personally will not object to the Project, but the Variances do promote a*  
4 *future precedent for the Community.*

5  
6 There was no further Testimony in favor and no Testimony in opposition.  
7

8 The Planning Commission further discussed addressing the Hand's precedent concern and clearly defining the  
9 Findings should the Planning Commission move to approve the Application: (1) Proposed Height (18 ft. 4 in.)  
10 offsets the negativity of the Variances (2) Proposed Front-Yard Set-Back Variance is similar to numerous Homes  
11 on Coast Avenue with limited Front-Yard Setbacks; (3) Proposed North and West Side Setbacks are the same as  
12 the Existing Foundation; (4) Proposed South Side Yard Setback resolves the encroachment issue; (5) Proposed  
13 Structure is a significant aesthetic improvement; (6) Establish the Point of Measurement for the Proposed  
14 Building Height to be from the lowest Existing Grade to the highest point of the Proposed Structure.  
15

16 Hageman called for a Motion.  
17

18 Motion: Leoni moved to approve Case File #1-CS-PC-15 (Coastal Shorelands, Geologic Hazards Permit and  
19 Variance Request) and adopt the Conditions of Approval (Items 1. Thru 8.) as recommended by the City Planner  
20 and as amended and discussed by the Planning Commission. Taunton seconded.  
21

22 Hageman said it was moved and seconded, and called for discussion. There was none.  
23

24 Vote: Motion passed.

25 Ayes: Leoni, Hageman, Hayes, Lewis, Taunton  
26

27 It was the consensus of the Commission to direct Lewis to prepare the Findings, Conclusion and Final Order for  
28 Hageman's signature.  
29

30 Brief discussion followed.  
31

32 Recess: 6:20-6:25 p.m.  
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#### 34 V. UNIFINISHED BUSINESS 35

##### 36 A. Status of Depoe Bay Zoning Ordinance (DBZO) Section 3.410 Planned Development Zone (PD) 37

38 Lewis announced that he hopes to have several rough draft amendments prepared for discussion at the next  
39 meeting. He intends to incorporate Standards from existing City Zoning Ordinances and the Oregon Department  
40 of Land Conservation and Development Model Ordinance.  
41

#### 42 VI. NEW BUSINESS 43

44 There was none.  
45

#### 46 VII. CITY COUNCIL LIAISON SCHEDULE AND REPORT

47 Leoni and Hageman reported on the following items: (1) Squatters on Private Property and the related issues; (2)  
48 Proposed Ordinance No. 302 – An Ordinance Amending Ordinance No. 243, An Ordinance for the Licensing of  
49 Businesses, Professions, Trades and Occupations for Revenue Purposes; Adding Regulations for Medical  
50 Marijuana Facilities Operating within the City of Depoe Bay; (3) Shell Avenue Traffic Concerns; (4) Alsea  
51 Avenue Encroachment; (5) Port Leases. Discussion ensued on several of the items.  
52

1 VIII. PLANNER'S REPORT  
2 L. Lewis reviewed the Planners Reports – Land Use Activity January 1, 2015 thru February 4, 2015 and Land Use  
3 Activity February 5, 2015 thru March 11, 2015 (copies attached to the original of these Minutes). Brief  
4 discussion followed.

5  
6 IX. PLANNING COMMISSION CONCERNS  
7 The Planning Commission discussed the August 21, 2017 Total Solar Eclipse and the potential impact to our  
8 community and our local resources (public bathrooms, law enforcement, fire, and ambulance emergency  
9 response, garbage/trash disposal, etc.). The Lincoln City, Newport, and Depoe Bay Chamber of Commerce are  
10 holding meetings in preparation for the event. Hageman directed Staff to copy for the interested Planning  
11 Commissioners a copy of a Correspondence regarding Port Leases dismissed by the City Council (copy attached  
12 to Original of these Minutes).

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14 X. ADJOURN  
15 There being no further business, the Meeting was adjourned at 6:45 p.m.

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Roy Hageman, President

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Carla Duering, Recording Secretary