



CITY OF GEARHART

Staff Report

For City Council Meeting - 4/3/2024

Subject - Ordinances/Resolutions - Ordinance #943 An Ordinance Amending the City of Gearhart Zoning Ordinance Section 3.2 Medium Density Residential R-2 Zone

Synopsis: Below is the staff report synopsis from City Planner, Garrett Phillips.

CITY OF GEARHART STAFF REPORT

To: Gearhart City Council

From: Garrett Phillips, City Planner

March 26, 2024

City File #23-06 ZTA

The attached ordinance amends the Gearhart Zoning Ordinance Section 3.2 Medium Density Residential Zone. Proposed amendments are to Section 3.230, which is the list of uses that may be permitted with a conditional use permit, and to Section 3.245 General Exceptions to Lot Size Requirements. The amendments were proposed by the owners of the Drifhaven Inn. Following receipt of the application, public notice was issued and the amendments were considered in a Planning Commission hearing February 8th, 2024 and City Council hearing March 6th 2024. The only testimony that was offered throughout the process was from the applicant.

On March 6, 2024 City Council approved the applicant's proposed amendments based on staff's findings that the proposal met the approval criteria, and directed staff to prepare an ordinance for adoption at an April 2024 meeting.

Council Options:

- 1) Motion to approve Ordinance #943 reading once by the title only;
- 2) Make changes and motion to approve as amended;
- 3) Take other action desired by the Council.

Recommendation: Staff recommends Council motion to approve Ordinance #943 reading once by title only.

Legal Analysis: Garrett is available for questions. If passed tonight, the ordinance will be returned for a second read in May. If approved, it would take effect 30 days later.

Financial Analysis: N/A

Respectfully Submitted,

A handwritten signature in black ink, consisting of a series of loops and curves, positioned above the name Chad.

Chad



ORDINANCE NO. 943

AN ORDINANCE AMENDING THE CITY OF GEARHART ZONING ORDINANCE SECTION 3.2 MEDIUM DENSITY RESIDENTIAL R-2 ZONE

WHEREAS, the City of Gearhart received an application requesting amendments to the Gearhart Zoning Ordinance GZO Section 3.2 Medium Density Residential Zone R-2; and

WHEREAS, the City of Gearhart conducted Zoning Text Amendment procedures pursuant to the Gearhart Zoning Ordinance Articles 11 and 13; and

WHEREAS, the amendments are consistent with Statewide Land Use Planning Goals, City of Gearhart Comprehensive Plan, and Gearhart Zoning Ordinance procedures and serve a public need, as described by findings in the City Council Staff Report and Notice of Decision to file #23-06ZTA;

NOW, THEREFORE, the City of Gearhart ordains the Zoning Ordinance shall be amended as follows:

Amendments

Amend the Gearhart Zoning Ordinance Section 3.230 list of uses conditionally permitted in the Medium Density Residential R-2 Zone by adding a new subsection:

“(4) A hotel legally established prior to the adoption of the Zoning Ordinance of October 1994 (October 11, 1994) shall be considered a conditional use. A hotel may continue even if it is nonconforming with respect to the standards of Section 3.240, provided it does not increase the degree of nonconformity. If such use is discontinued for a period of one year it may be reestablished upon approval of a new Conditional Use Permit.”

Amend the Gearhart Zoning Ordinance *Section 3.245 General Exceptions to Lot Size Requirements* in the Medium Density Residential R-2 Zone by adding conditionally permitted uses to the section as follows:

... the holdings may be occupied by a use permitted or conditionally permitted in this zone subject to the other...

Passed by the City Council of Gearhart this _____ day of _____, 2024.

Yeas: _____

Nays: _____

Absent: _____

Abstain: _____

Approved and signed by the Mayor of Gearhart this _____ day of _____, 2024.

Mayor Kerry Smith

ATTEST:

City Administrator, Chad Sweet