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Documents:

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CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, July 7, 2020 2:00pm

You can join to the meeting using the following means:

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WORK SESSION AGENDA

I. Discussion of Code and Comprehensive Plan Updates

Commission meets the third Tuesday of each month.

This meeting is open to the public and all interested persons are invited to attend via *Zoom*. Minutes of all public meetings are available for review on the City website at www.yachatsoregon.org.

In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD).

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This meeting is open to the public and all interested persons are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at www.yachatsoregon.org. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541- 547-3565 or Oregon Relay 1- 800-735-2900 (TDD) two days in advance. Posted 5/8/20

Proposed Amendments to YMC 9.04.030 Definitions

*Proposed additions to the text are underlined. Deletions are listed in strikethrough.

9.04.030 Definitions

“Beach” means gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or land form, or to the line of vegetation.

“Bridge crossing” means the portion of a bridge spanning a waterway or wetlands, not including supporting structures or fill.

“Bridge crossing support structure” means piers, piling and similar structures necessary to support a bridge span but not including fill for causeways or approaches.

“Development” means work done on any site resulting in physical changes to that site, including, but not limited to, grading and/or excavation, vegetation removal and/or any construction or placement of facilities on that site.

“Dock for marina use” means a floating moorage facility constructed perpendicular or parallel to the shoreline.

“Estuarine enhancement” means an action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a restoration action or the creation of additional estuarine habitat. This activity may include snag removal.

“Estuary” means the body of water from the ocean to the head of tidewater that is partially enclosed by land and within which salt water is usually diluted by fresh water from the land, including all associated estuarine waters, tidelands, tidal marshes and submerged lands.

“Fill” means the placement by man of sand, sediment or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land.

“Geologic Hazard” means a geologic condition that is a potential danger to life and property which includes but is not limited to earthquakes, landslides, erosion, liquefaction, fault displacement, and subsidence.

“Geoprofessional” refers to a Registered Geologist, Certified Engineering Geologist, Professional Engineer, and Geotechnical Engineer.

Registered Geologists (RG) provide geologic maps and documents and are licensed by the Oregon State Board of Geologist Examiners (OSBGE).

Certified Engineering Geologists (CEG) provide engineering geologic reports and are licensed by the Oregon State Board of Geologist Examiners (OSBGE).

A Geotechnical Engineer (GE) is a Professional Engineer (PE) with the specific training, expertise, and experience to qualify as a Geotechnical Engineer (GE). GEs provide geotechnical engineering reports and are licensed by the Oregon Board of Examiners for Engineering and Land Surveying (OSBEELS).

“Maintenance and repair (estuarine areas)” means the work of keeping an existing structure or facility in good working order or in conformance with current engineering or building codes, or of restoring a structure or facility to sound condition after damage or injury. Maintenance and repair is confined to the same geographic area as the existing structure or facility, and does not result in an increase in floor area or surface area. Replacement of bridge crossing support structures and bridge approach ramps may be

considered a form of maintenance if the resulting bridge support structure or ramp is the minimum size necessary to accommodate the same number of traffic lanes as exist on that portion of the highway.

“Marina” means a commercial boat launch, moorage or similar facility which may include dry or wet boat storage and boathouses.

“Mitigation” means the creation, restoration or enhancement of an estuarine area to maintain the functional characteristics and processes of the estuary, such as its natural biological productivity, habitats and species diversity, unique features and water quality.

“Natural grade” means the grade prior to grading or fill, and is defined as where the roots and stems meet to form the natural elevation of the lot or the grade that existed at the date of the adoption of this ordinance (February 13, 2008). Natural grade is the grade prior to cutting or filling.

“Older stabilized dune” means a dune that is stable from wind erosion, and that may include diverse forest cover. They include older foredunes.

“Pier” means a fixed moorage facility constructed outward from the shoreline.

“Piling” means the driving of wood, concrete or steel piling into the bottom in aquatic areas to support piers or docks, structures, moored floating structures, or other purposes.

“Resource Capability.” A use is consistent with the resource capabilities of the natural estuarine management unit area when either the impacts of the use on estuarine species, habitats, biological productivity and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education.

“Restoration” means to revitalize or re-establish functional characteristics and processes of the estuary diminished or lost by past alterations, activities or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work begins.

Restoration, Active. “Active restoration” means the use of specific positive remedial actions to revitalize or re-establish functional characteristics and processes of the estuary.

Restoration, Passive. “Passive restoration” means the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action

“Riparian” means of or pertaining to or living on the bank of a river or lake or, of a tidewater.

“Riprap” means a layer, facing or protective mound of stones placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used.

“Shoreline” means the boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high-water mark.

“Shoreline stabilization” means the protection of the banks of tidal or intertidal streams, rivers, estuarine waters, and oceanfront by vegetative or structural means.

“Top of Bank” means that vertical point along a stream bank where an abrupt change in slope is evident. For streams in wider valleys it is the point where the stream is generally able to overflow the banks and enter the floodplain. For steep and narrow valleys, it will generally be the same as the top of slope.

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Proposed Amendments to YMC 9.52.050 Geologic Hazard Overlay Areas Zone

*Proposed additions to the text are underlined. Deletions are listed in ~~strikethrough~~.

9.52.050 Geologic Hazard Overlay Zone- Repeal and Replace section

~~A.—Responsibility shall fall on the developer to ensure proper safeguards are taken when developing in any hazard zone whether earthquake, fault lines, landslide, erosion or flood hazard areas. The City accepts no liability. Prior to development, the following shall be required (in flood hazard zones, see Chapter 9.54 Flood Damage Prevention Regulations):~~

- ~~1.—On slopes of less than twelve (12) percent: development is allowed without special review.~~
- ~~2.—On slopes of twelve (12) percent and greater a site analysis report shall be completed in accordance with subsection D for the following development activities:
 - ~~a.—Gross excavation or fill of greater than forty (40) cubic yards;~~
 - ~~b.—Removal of more than two thousand five hundred (2,500) square feet of vegetative cover (as measured along the slope);~~
 - ~~c.—Road construction; and/or~~
 - ~~d.—Building which entails any fill or excavation.~~~~

~~——Development on a site shall be subject to conditions, restrictions, and recommendations outlined by the site analysis report. This report shall be completed within the past five (5) years by a State of Oregon certified engineering geologist.~~

~~——In addition, the Planning Commission or its designee may also require that the development adhere to additional standards as provided in writing by the Yachats Department of Public Works. At the completion of the project, the developer shall provide certification from the geological consultant and the Yachats Department of Public Works, stating that the conditions and recommendations of the report and the Yachats Department of Public Works have been met.~~

~~3.—Definition of Slope:~~

- ~~a.—A property has a twelve (12) percent slope or greater if:
 - ~~i.—The average slope from the highest to lowest point of the property has a slope of twelve (12) percent or greater; or~~
 - ~~ii.—The average slope of the building footprint or area to be disturbed measured from the highest to lowest point within the footprint or area to be disturbed is twelve (12) percent or greater.~~~~
 - ~~b.—Development guidelines shall not apply to a building footprint or area to be disturbed that is located one hundred (100) feet or more from a twelve (12) percent slope. The distance will be measured from the boundary lines of the building footprint or area to be disturbed to the point of the slope.~~
- ~~4.—Slopes twelve (12) percent and greater are identified on the natural hazards map. The City's designated representative may determine that the average slope on a property is less than twelve (12) percent, and therefore allow development without a certified engineering geologist report. If the applicant disagrees with the City's decision, the applicant shall provide an affidavit from a State of Oregon registered land surveyor showing the site specific slope conditions on the property prior to any excavation,~~

grading or other changes in site topography. If the affidavit indicates that the slopes on the property are less than twelve (12) percent, as defined above, development may be allowed without special review.

B. ~~Developers of property having a slope of twelve (12) percent or greater, or within five hundred (500) feet of a landslide or fault area shall also be subject to the following requirements:~~

- ~~1. The site must be replanted and stabilized in accordance with the recommendations outlined in the geotechnical report. This vegetation must be maintained to ensure the continuous stability of the area.~~
- ~~2. All construction materials shall be stored in such a manner as recommended by the geotechnical report.~~
- ~~3. The geologist shall certify that all work has been completed as stated in the report.~~

C. ~~Exceptions to the hazard area requirements shall be allowed under the following circumstances:~~

- ~~1. Improvements to existing roads or drainage ditches or utilities where excavation or fill does not exceed ten (10) cubic feet per one linear foot of roadway/ditch;~~
- ~~2. Gravesites dug in cemeteries;~~
- ~~3. Emergency excavation of landslide materials or emergency utility repairs.~~

D. ~~Content Standards for Geotechnical Reports. All geotechnical reports required by this section shall provide at a minimum, the following information, where applicable, prior to review by planning staff or the Planning Commission:~~

~~1. General Information.~~

- ~~a. Name and C.E.G. stamp of the Oregon certified engineering geologist preparing the report;~~
- ~~b. Scope and purpose of the report;~~
- ~~c. General site description;~~
- ~~d. Drainage patterns;~~
- ~~e. Existing structures, if any;~~
- ~~f. Proposed development plan, including roads and driveways.~~

~~2. Geologic Description.~~

- ~~a. Lithology;~~
- ~~b. Structural features (stratifications, orientation of bedding planes, faults, etc.);~~
- ~~c. Surficial or unconsolidated deposits;~~
- ~~d. Seismic considerations as they pertain to proximity of faults.~~

~~3. Assessment of Geologic Factors.~~

- ~~a. General suitability of proposed land use to geologic conditions:~~
 - ~~i. Areas to be avoided, if any,~~
 - ~~ii. Topography and slope,~~
 - ~~iii. Stability of geologic units,~~
 - ~~iv. Problems caused by geologic features or conditions in adjacent properties,~~
 - ~~v. Other general problems;~~
- ~~b. Recommendations for site grading/filling:~~
 - ~~i. Prediction of stability based on geologic factors; recommended avoidance or engineering to cope with existing or potential landslide masses,~~
 - ~~ii. Excavation considerations,~~

- iii. ~~General considerations of proposed fill masses in canyons or on hillsides;~~
- iv. ~~Load capabilities of soils;~~
- c. ~~Drainage considerations and recommendations;~~
- d. ~~Setback recommendations;~~
- e. ~~Footing, foundation, and backfilling recommendations;~~
- f. ~~Recommendations on vegetation preservation, removal and re-vegetation as it relates to slope stability, and erosion potential;~~
- g. ~~Recommended methods for protecting the surrounding area from any adverse effects of the proposed development.~~
- 4. ~~Checklist. Provide a checklist of geological requirements during construction; e.g., erosion protection prior to construction, geological certification prior to pouring foundation footings and slabs, re-vegetation requirements, etc. (Ord. 349 § 1, 2017; Ord. 322, 2013; Ord. 269, 2007; Ord. 73G, 1993; Ord. 73E § 3.070, 1992)~~

9.52.050 Geologic Hazard Overlay Zone – New Code Standards

- A. PURPOSE: The purpose of this overlay zone is to manage development in areas subject to geologic hazards in a manner that reduces long term risks to life, property, and the community, consistent with Statewide Planning Goal 7 and 18.
- B. AREAS INCLUDED: The following areas are considered potentially geologically hazardous and are therefore subject to the requirements of this section:
 - 1. All lands partially or completely within “very high” landslide susceptibility areas as mapped in DOGAMI Open File Report O-16-02, “Landslide Susceptibility Map of Oregon.”
 - 2. All lands partially or completely within any coastal erosion hazard zone (very high, high, moderate, or low) as mapped in DOGAMI Open File Report O-07-03, “Evaluation of Coastal Erosion Hazard Zones Along Dune and Bluff Backed Shorelines in Lincoln County, OR: Seal Rock to Cape Perpetua.”
 - 3. All lands partially or completely within a rapidly moving landslide as mapped in DOGAMI IMS-22, “GIS Overview Map of Potential Rapidly Moving Landslide Hazards in Western Oregon,” 2002.

[Staff comment: Maps will be published at the end of 2020]

 - 4. Lots or parcels where the average existing slopes are equal to or greater than twelve (12) percent or where the average existing slopes are equal to or greater than thirty (30) percent within 100 feet of the property.
 - a. Definition of Slope: A property has a **twelve (12) percent** slope or greater if:
 - i. The average slope from the highest to lowest point of the property has a slope of **twelve (12) percent** or greater; or

- ii. The average slope of the building footprint or area to be disturbed measured from the highest to lowest point within the footprint or area to be disturbed is **twelve (12) percent** or greater.
- C. ALLOWED USES: Within the Geologic Hazards Overlay Zone, all uses allowed pursuant to the provisions of the underlying zone may be allowed, subject to the additional requirements and limitations of this section.
- D. GEOLOGIC HAZARD PERMIT REQUIRED:
 - 1. Except for activities identified in subsection (D)(2) as exempt, any new development, new construction or substantial improvement, as defined in Section 9.54.020, in an area subject to the provisions of this section shall require a Geologic Hazard Permit. The Geologic Hazard Permit may be applied for prior to or in conjunction with a building permit, grading permit, or any other permit or land use approval required by the City of Yachats.
 - 2. The following activities are exempt from the requirement for a Geologic Hazard Permit:
 - a. Maintenance, repair, or alterations to existing structures that do not alter the building footprint or foundation and do not constitute substantial improvement;
 - b. An excavation which is less than two feet in depth or which involves less than twenty-five cubic yards of volume;
 - c. Fill that is less than two feet in depth or that involves less than twenty-five cubic yards of volume;
 - d. Exploratory excavations under the direction of a certified engineering geologist or registered geotechnical engineer;
 - e. Gravesites dug in cemeteries;
 - f. Construction of structures for which a building permit is not required;
 - g. Removal of trees smaller than 8 inches dbh (diameter breast height);
 - h. Removal of trees larger than 8 inches dbh (diameter breast height) provided the canopy area of the trees that are removed in any one year period is less than twenty-five percent of the lot or parcel area;
 - i. Yard area vegetation maintenance and other vegetation removal on slopes less than 25% slopes;
 - j. Forest operations subject to regulation under ORS 527 (the Oregon Forest Practices Act);
 - k. Maintenance and reconstruction of public and private roads, streets, parking lots, driveways, and utility lines, provided the work does not extend outside the previously disturbed area;

- I. Maintenance and repair of utility lines, and the installation of individual utility service connections;
 - m. Emergency response activities intended to reduce or eliminate an immediate danger to life or property, or flood or fire hazard;
- 3. Application, review, decisions, and appeals on Geologic Hazard Permits shall be in accordance with the requirements for a staff level decision. Unless otherwise provided by Yachats Municipal Code or other provision of law, any Geologic Hazard Permit so issued shall be valid for a time period as specified in the approval decision and shall in no case be valid for more than 5 years.
- 4. In addition to a completed application as prescribed in subsection (E), an application for a Geologic Hazard Permit shall include the following:
 - a. A site plan that illustrates areas of disturbance, ground topography (contours), roads and driveways, an outline of wooded or naturally vegetated areas, watercourses, erosion control measures, and trees with a diameter of at least 8 inches dbh (diameter breast height) proposed for removal;
 - b. An estimate of depths and the extent of all proposed excavation and fill work;
 - c. Identification of the geologic hazard zone for the parcel or lot upon which development is to occur. In cases where properties are mapped with more than one hazard zone, a Certified Engineering Geologist (CEG) shall identify the hazard zone(s) within which development is proposed; and
 - d. A engineering Geologic Report prepared by a qualified geoprofessional (as defined in Section 9.04.030) that meets the content requirements of subsection (E); and
- 5. A decision to approve a Geologic Hazard Permit shall be based upon findings of compliance with the following standards:
 - a. The proposed development is not subject to the prohibition of development on beaches and certain dune forms as set forth in Section 9.52.130;
 - b. The proposed development complies with the applicable requirements and standards of subsections (6) and (7) of this section;
 - c. The Geologic Report conforms to the standards for such reports set forth in subsection (E) of this section; and
 - d. The development plans for the application conform, or can be made to conform, with all recommendations and specifications contained in the geologic report.
- 6. In the event the city determines that additional review of a Geologic Hazard Permit application by an appropriately licensed and/or certified professional is necessary to determine compliance with the provisions of this section, the City may retain the services of such a professional for this purpose. All costs incurred by the City for this additional review

shall be paid by the applicant in addition to the application fee for a Geologic Hazard Permit established pursuant to **Section 9.88.050**.

7. In approving a Geologic Hazard Permit, the decision maker may impose any conditions that are necessary to ensure compliance with the provisions of this section or with any other applicable provisions of the Yachats Municipal Ordinance.

E. GEOLOGIC REPORT (Engineering Geologic Report and Geotechnical Engineering Report)
STANDARDS:

1. Geologic Reports required by this section shall be prepared consistent with standard geologic practices employing generally accepted scientific and engineering principles, and shall, at a minimum, contain the items outlined in the most recent edition of Oregon State Board of Geologist Examiners "Guidelines for Preparing Engineering Geologic Reports in Oregon". For oceanfront property, reports shall also address the "Geological Report Guidelines for New Development on Oceanfront Properties," prepared by the Oregon Coastal Management Program of the Department of Land Conservation and Development, in use as of the effective date of this section. Reports shall reference the published guidelines upon which they are based. All engineering geologic reports and geotechnical engineering reports are valid for purposes of meeting the requirements of this section for a period of five (5) years from the date of preparation. Such reports are valid only for the development plan addressed in the report. The City of Yachats assumes no responsibility for the quality or accuracy of such reports.
2. For the purposes of Section 9.52.050, a Geologic Report refers to both engineering geologic reports and geotechnical engineering reports.
3. Geologic reports required by this section shall include a statement certifying that all of the applicable content requirements of this subsection have been addressed.

F. ADDITIONAL LIMITATIONS IN GEOLOGIC HAZARD AREAS:

1. New construction shall be limited to the recommendations, if any, contained in the Geologic Report; and
 - i. Property owners should consider use of construction techniques that will render new buildings readily moveable in the event they need to be relocated; and
 - ii. Properties shall possess access of sufficient width and grade to permit new buildings to be relocated or dismantled and removed from the site.
2. Safest site requirement: All new construction or substantial improvements shall be located within the area most suitable for development based on the least exposure to risk from coastal hazards as determined by a qualified geoprofessional as part of a Geologic Report prepared in accordance with subsection (E). Notwithstanding the provisions of the underlying zone, as necessary to comply with this requirement:
 - i. Any required yard or setback may be reduced by up to 50%; and,

- ii. The maximum building width may be increased to up to 90% of the distance between opposite side lot lines.
- 3. Hazard Disclosure Statement: All applications for new development or substantial improvements subject to Geologic Hazard Permit shall provide a Hazard Disclosure Statement signed by the property owner that acknowledges:
 - i. The property is subject to potential natural hazards and that development thereon is subject to risk of damage from such hazards;
 - ii. The property owner has commissioned an engineering geologic report for the subject property, a copy of which is on file with City of Yachats Planning Department, and that the property owner has reviewed the engineering geologic report and has thus been informed and is aware of the type and extent of hazards present and the risks associated with development on the subject property;
 - iii. The property owner accepts and assumes all risks of damage from natural hazards associated with the development of the subject property.
- G. MINIMUM OCEANFRONT SETBACKS: In areas subject to the provisions of this section, the building footprint of all new construction or substantial improvement subject to a Geologic Hazard Permit shall be set back from the ocean shore a minimum twenty-five (25) feet from the top of the bank or greater if recommended by an Oregon certified engineering geologist.
- H. EROSION CONTROL MEASURES: A certified engineering geologist, geotechnical engineer, or qualified civil engineer shall address the following standards.
 - 1. Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction;
 - 2. Development plans shall minimize cut or fill operations so as to prevent off-site impacts
 - 3. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development;
 - 4. Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical;
 - 5. Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary;
 - 6. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching, seeding, planting, or armoring with rolled erosion control products, stone, or other similar methods;

7. All drainage provisions shall be designed to adequately carry existing and potential surface runoff from the twenty year frequency storm to suitable drainageways such as storm drains, natural watercourses, or drainage swales. In no case shall runoff be directed in such a way that it significantly decreases the stability of known landslides or areas identified as unstable slopes prone to earth movement, either by erosion or increase of groundwater pressure;
 8. Where drainage swales are used to divert surface waters, they shall be vegetated or protected as necessary to prevent offsite erosion and sediment transport;
 9. Erosion and sediment control devices shall be required where necessary to prevent polluting discharges from occurring. Control devices and measures which may be required include, but are not limited to:
 - i. Energy absorbing devices to reduce runoff water velocity;
 - ii. Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;
 - iii. Dispersal of water runoff from developed areas over large undisturbed areas;
 10. Disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures; and
 11. Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, site monitoring and clean-up activities
- I. CERTIFICATION OF COMPLIANCE: Permitted development shall comply with the recommendations in any required geologic or engineering report. No development requiring a Geologic Report shall receive final approval (e.g. certificate of occupancy, final inspection, etc.) until the city receives a written statement by a qualified geoprofessional indicating that all performance, mitigation, and monitoring measures contained in the report have been satisfied. If mitigation measures involve engineering solutions prepared by a licensed professional engineer, then the city must also receive an additional written statement of compliance by the licensed professional engineer.
- J. RESTORATION AND REPLACEMENT OF EXISTING STRUCTURES:
1. A building or structure that is nonconforming under Chapter 9.76 of the Yachats Municipal Code that is destroyed by fire, other casualty or natural disaster shall be subject to the casualty loss provisions contained in Section 9.76.050. Application of the provisions of this section to a property shall not have the effect of rendering it nonconforming.

2. A building or structure that conforms to the Municipal Code that is destroyed by fire, other casualty or natural disaster may be replaced with a building or structure of up to the same size provided a Geologic Report is prepared by a qualified geoprofessional. A Geologic Report prepared pursuant to this subsection shall adhere to the Geologic Report Standards outlined in subsection 9.52.050 (E). All recommendations contained in the report shall be followed, however the report need not establish that the site is suitable for development as required in subsection 9.52.050 (F)(2). An application filed under this subsection shall be processed and authorized as a ministerial action by the City Planner.

Proposed Amendments to YMC 9.52.090 Shoreline Stabilization

*Proposed additions to the text are underlined. Deletions are listed in ~~striketrough~~.

9.52.090 Shoreline Stabilization

No proposed updates.

9.52.090 Shoreline Stabilization

- A. Prior to construction of shoreline protective structures required permits shall be obtained from the applicable State of Oregon agencies.
- B. The priorities for shoreline stabilization for erosion control are, from highest to lowest:
 - 1. Proper maintenance of existing riparian vegetation;
 - 2. Planting of riparian vegetation;
 - 3. Vegetated riprap;
 - 4. Nonvegetated riprap;
 - 5. Bulkhead or seawall.
- C. Where riprap, bulkheads or seawalls are proposed as protective measures, documentation must be based upon a report prepared by registered professional geologist, certified engineering geologist, or professional with qualifications in the field of coastal geology. The report shall be provided which verifies that high priority methods of erosion control will not work. Structural shoreline stabilization shall be permitted only if:
 - 1. There is a critical need to protect existing uses and structures that are actively threatened;
 - 2. Nonstructural or higher priority methods of shoreline stabilization are not feasible;
 - 3. The preferred method of structural shoreline stabilization is designed so as to minimize impacts on the adjacent beach and shoreline;
 - 4. Visual impacts are minimized;
 - 5. The proposed project will not restrict existing public access to publicly owned lands or interfere with the normal public use of fishery, recreation or water resources;
 - 6. Long-term or recurring costs to the public are avoided;
 - 7. The shoreline protection structure is the minimum necessary to protect property or existing structures; and
 - 8. Riparian vegetation is preserved as much as possible.
- D. Beachfront protective structures for beach and dune areas shall be permitted only where development existed on January 1, 1977. "Development" means houses, commercial and industrial buildings, and vacant subdivision lots which are physically improved through construction of streets and provision of utilities to the lot.

- E. Proposals for riprap shall include evidence that the size and density of rock to be used will be effective, and provide justification for use of a slope steeper than one and one-half feet horizontal to one-foot vertical.
- F. The City may require that proposed structural shoreline stabilization abutting a street-end, or other public right-of-way, incorporate steps, paths or other physical improvements to enhance public access to coastal waters.
- G. The City may require that shoreline stabilization projects be designed by a registered engineer.
- H. Shoreline stabilization projects shall not result in the creation of new upland area.
- I. The City may require an applicant for a shoreline stabilization project to post a performance bond with the City. The performance bond shall be refunded to the applicant once the shoreline stabilization project has been satisfactorily completed.

Proposed Amendments to YMC 9.52.100 Older stabilized dune construction standards

*Proposed additions to the text are underlined. Deletions are listed in ~~strike through~~.

9.52.100 Older stabilized dune construction standards.

It is the intent of the older stabilized dune construction standards to regulate actions in older stabilized dunes in order to minimize damage to the dune forms and to adjacent property.

This section applies to all areas identified as “Older stabilized dunes” in the 1975 USDA Soil Conservation Service and OCCDC report “Beaches and Dunes of the Oregon Coast,” specifically the Sand Dunes Map for Lincoln County, Oregon.

[Staff Comment: Map attached]

The following standards shall apply to development in older stabilized dunes:

- A. Before a building permit is issued for construction involving the removal of vegetation in areas of older stabilized dunes, the Planning Commission ~~may~~ shall require an erosion prevention plan. The plan shall provide for temporary and permanent sand stabilization and maintenance of new and existing vegetation. The plan shall return the area to its original level of stability or further increase the area’s stability.
- B. Removal of vegetation in older stabilized dunes shall be kept to the minimum required for building placement or other valid purposes. Removal of vegetation shall not occur more than thirty (30) days prior to grading, or construction. Permanent revegetation shall be started on the site as soon as practical.
- C. Sand removal shall be limited to that necessary for construction of permitted structures on the site or for eliminating hazards identified in the erosion prevention plan. Adequate consideration shall be given to removing sand from the least sensitive locations. Disturbed areas shall be properly revegetated unless building is done thereon.
- D. Developments shall result in the least topographic modification of the site that is practical.

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existing vegetation. The plan shall return the area to its original level of stability or further increase the area's stability.

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- D. Developments shall result in the least topographic modification of the site that is practical.

Proposed Amendments to YMC 9.52.130 Development on Beaches

*Proposed additions to the text are underlined. Deletions are listed in ~~strike through~~.

9.52.130 Development on Beaches and Dunes

~~Development shall be prohibited on beaches, except where permitted under Section 9.52.090.~~

Construction of residential, commercial, or industrial buildings is prohibited on beaches, active foredunes, other foredunes that are conditionally stable and subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) that are subject to ocean flooding. Other development in these areas shall be permitted only if a certified engineering geologist determines that the development is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves and is designed to minimize adverse environmental effects. Such a determination shall consider:

- A. The type of use proposed and the adverse effects it might have on the site and adjacent areas;
- B. Temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
- C. Methods for protecting the surrounding area from any adverse effects of the development; and
- D. Hazards to life, public and private property, and the natural environment that may be caused by the proposed use.

9.52.130 Development on Beaches and Dunes

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- C. Methods for protecting the surrounding area from any adverse effects of the development; and
- D. Hazards to life, public and private property, and the natural environment that may be caused by the proposed use.

Yachats Community Characteristics

The City of Yachats is located on the Central Oregon Coast, in Lincoln County, Oregon, approximately 26 miles south of the City of Newport and 155 miles from the metropolitan area of the City of Portland. Yachats is located at the mouth of the Yachats River overlooking the Pacific Ocean. The City of Yachats has an average elevation of approximately 23 feet above sea level. The climate is moderate. The City consists of varying topography, ranging from ridgetops, steep hillsides, basalt cliffs, uplifted marine terrace deposits, river frontage and relatively level areas along US Highway 101. Development in Yachats spreads mostly north to south along US-Highway 101 and slightly east along Yachats River Road. Dense commercial areas in Yachats exist along US-Highway 101 and are centrally located downtown and around the Yachats River. Residential development surrounds the downtown commercial core.

The City of Yachats is rich with natural beauty and abundant natural resources. The coastal community offers recreational amenities, activities and attractions. In and around the community are the Yachats Commons, Smelt Sands State Recreation Site, Yachats State Recreation Area, the Yachats Ocean Road State Natural Site, and the US Forest Service Cape Perpetua Scenic Area.

Comprehensive Plan Policies

Goal A. Protection of Natural Resources

The City of Yachats is nestled among the rocky ocean shores and the forested hillsides on both sides of the Yachats River. Protecting the natural beauty of Yachats is very important. Protection of the historic elements, preserving open space, improving parks and trails, and conservation of natural habitats is valued in the community. In conjunction with county, state and federal agencies as well as area residents and landowners, there is a desire to protect and enhance the City's rich natural, scenic and historic resources. Forests, beaches, water, wetlands, air quality, fish and wildlife habitats, historical and archaeological sites, and open space and scenic views all contribute to the high quality of the City's environment. These resources are Yachats' main assets in that they make it a beautiful place for people to live in and visit.

Goal

1. Protect and enhance the natural, scenic and historic resources of the City of Yachats.

Policies

1. The quality of air, water, and land resources shall be maintained or enhanced where possible.
2. Protect significant marine habitats, as identified on the City's adopted Natural Resources Map and Inventory Data, from proposed land uses that will, or might, modify their indigenous characteristics.
3. Preserve existing publically owned open space. Identify new areas appropriate for designation as public open space.
4. Encourage orderly development of land through zoning, land use codes and the timing and placement of public improvements in order to conserve natural resources.
5. Assist the State and County in protecting the County Road 804 right-of-way and the prescriptive easements accepted by the Oregon Supreme Court as established by the Lincoln County Surveyor (County Survey 11,905 dated 12/18/1987) from alterations that would prevent the

establishment and maintenance of this segment of the Oregon Coast Hiking Trail within the public right-of-way.

6. Concur with all pertinent and legally authorized agencies, both federal and state, in a mutual effort to retain the character of those natural qualities identified in the adopted Natural Resources Map and Inventory Data.
7. Consider the quality of the resources areas as shown on the adopted Natural Resources Map and Inventory Data in adopting land use designations or in undertaking land use actions or decisions. This Map shall include wetlands, riparian areas, estuaries, and shorelands.
8. Direct growth so as not to encroach upon public or commercial forestlands. The inclusion of additional commercial forest lands within the UGB shall occur only upon finding that the land is needed for urban development.
9. Protect significant archaeological and historic resources through survey identification, map development, recordation and adoption of preservation codes, consistent with the standards of the State Historic Preservation Office (SHPO), affected tribes and federal laws. Specific sites for protection include, but are not limited to, the Little Log Church, Yachats Middens, Native American villages and other identified recorded or unrecorded archaeological or historic sites.
10. Do not support offshore oil and gas development and associated facilities due to potential conflicts with existing ocean fisheries, impacts on aesthetic and recreational values, and degradation of the marine environment. This includes leasing, exploration, and oil and gas extraction within the state territorial sea and federal waters.
11. Protect established trees, which contribute to the aesthetic and environmental quality of the City.
12. Protect significant trees and groves of trees through a tree protection ordinance or voluntary mechanisms to ensure their health and retention.
13. Protect view sheds and corridors unique to the City. They contribute to the community identity and aesthetic values of City residents and visitors.
14. Protect streams, creeks, and wetlands.
15. Provide educational material regarding the responsible use of chemicals including but not limited to household chemicals, automotive chemicals, herbicides, and pesticides.

Proposed actions:

The City shall:

- a) Incorporate soil capacity analysis into the land use code for protection of prime forest soils.
- b) Conduct archaeological and historic resource inventories consistent with Goal 5 and the State Historic Preservation Office (SHPO); rank and prioritize significant properties for protective measures. Priority sites shall be identified on the City's Natural Resources Map or a separate archaeological and historic resources map consistent with state law.
- c) Explore and prioritize actions to preserve trees and establish a tree protection ordinance.
- d) Identify and rank significant view sheds and corridors.
- e) Update the City-wide natural resources inventory and assessment.
- f) Research view protection strategies. Those strategies may include, but not be limited to, overlay zones, tree trimming standards, and voluntary deed restrictions. Ensure that view point protections do not conflict with other natural resource protections.

- g) Explore actions that would improve air quality, such as City-wide composting and replace wood burning stoves with electric ones.
- h) Periodically update the ordinance to protect inland stream and associated riparian areas.

Goal B. Protection of Estuarine Resources

In Yachats, the estuarine areas include all estuarine waters, intertidal areas, tidal wetlands and submerged and submersible lands up to the line of non-aquatic vegetation or the mean higher high-water line. These resource areas are important for fish and wildlife habitats, for preservation and protection, for estuarine productivity, and for research or educational needs.

In harmony with adjacent property owners and relevant government agencies, the City desires to protect its estuarine areas from development, dredging and fill. Therefore, these estuarine areas within the City need to be classified as a natural management unit, managed to conserve the natural habitats and wildlife therein.

Goals

1. To recognize, protect, maintain and restore the unique environmental, economic and social values of the designated estuarine areas.

Policies

1. Cooperate with appropriate government agencies in the development of biological, aesthetic, recreational, and economic values and benefits of the Yachats River Estuary.
2. In recognition of the unique qualities of the Yachats River estuary, work with Lincoln County and relevant special districts, the Department of State Lands, U.S. Army Corps of Engineers, and other state and federal agencies to comprehensively manage the Yachats River estuary within the Yachats urban growth boundary.
3. The Yachats River is classified as a conservation estuary. All estuarine areas within the Yachats urban growth boundary shall be classified as a natural management unit, and shall be managed to preserve the natural habitats and wildlife therein.
4. Protect the natural habitat areas and aesthetic values in all City decisions regarding land and/or water use actions in or affecting the estuary. The inventory information and the Natural Resources Map are sources of information regarding the aesthetic and natural values of the Yachats River estuary and the benefit derived therefrom to the City.
5. Protect estuarine areas through zoning and land use codes.
6. Permitted uses in the natural estuary management unit are undeveloped low-intensity, water-dependent recreational uses; protection of wildlife and their habitat and nutrients, fish, wildlife and aesthetic resources; research and educational observation; navigation aids; vegetative shoreline stabilization; and passive restoration measures.
7. Unless specifically exempted by the Director of the Department of State Lands under ORS 196.830 dredging or fill (including dredged material disposal) in intertidal or tidal marsh areas shall be mitigated by creation, restoration or enhancement of estuarine areas. The adequacy of a proposed mitigation project shall be determined by the Department of State Lands.
8. Require a clear presentation of the impacts of the proposed alteration where a use could potentially alter the estuarine ecosystem.

9. The estuarine and coastal shoreland habitat resources designated as significant on the Natural Resources Map shall be protected with an overlay district.

Proposed Actions

The City shall:

- a) Develop the City's Natural Resources Map. Designate the Yachats River on the City's Natural Resource Map for purposes of resource management.

Goal C. Protection of Shoreland Resources

Coastal Shorelands are a unique and sensitive component of the coastal environment. These shorelands are an invaluable resource for the protection and maintenance of water quality for fish and wildlife habitats, recreation and a variety of water-dependent uses.

Statewide Goal 17 calls for the conservation and protection of coastal shoreland resources and benefits. The Coastal Shorelands Planning Area is defined as all lands west of the Oregon Coast Highway (Highway 101) as described in ORS 366.235, including the western section of Gender Creek. Any other streams and creeks that intersect the shoreland, shall be in accordance with Yachats Comprehensive Plan Goal A, Protection of Natural Resources, Policy 13. The purpose of the Coastal Shorelands designation is to establish areas for inventory, study and planning for development and use to meet Statewide Planning Goal 17 (see natural resources map).

Lands contiguous with the ocean, estuaries, and coastal lakes shall be identified as coastal shorelands and shall include:

1. Areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake;
2. Adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body;
3. Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas;
4. Areas of significant shoreland and wetland biological habitats whose habitat quality is primarily derived from or related to the association with coastal water areas;
5. Areas necessary for water-dependent and water-related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, dredge material disposal and mitigation sites, and areas having characteristics suitable for aquaculture;
6. Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas; and
7. Coastal headlands.

Statewide Planning Goal 17 outlines planning and management requirements for the lands bordering estuaries (as well as lands bordering the ocean shore and coastal lakes). In general, the requirements of Goal 17 apply in combination with other planning goals to direct the appropriate use of shoreland areas. Provisions in Goal 17 specifically focus on the protection and management of resources unique to shoreland areas; examples of such resources include areas of significant shoreland habitat, lands

especially suited for water dependent uses, lands providing public access to coastal waters, and potential restoration or mitigation sites. Implementing ordinances shall be consistent with Goal 17.

All inventories, policies and planning efforts outlined in this section of the Comprehensive Plan should be coordinated with the City's goals for Open Spaces, Scenic and Historic Areas and Natural Resource (Statewide Planning Goal 5, Comprehensive Plan Goal A), Air, Water and Land Resources Quality (Statewide Planning Goal 6, Comprehensive Plan Goal A), Areas Subject to Natural Disasters and Hazards (Statewide Planning Goal 7, Comprehensive Plan Goal E), Recreational Needs (Statewide Planning Goal 8, Comprehensive Plan Goal F), Economy of the State (Statewide Planning Goal 9, Comprehensive Plan Goal H) Estuaries (Statewide Planning Goal 16, Comprehensive Plan Goal B), and Beaches and Dunes (Statewide Planning Goal 18, Comprehensive Plan Goal L).

Goals

1. Recognize, protect, maintain and restore Coastal Shorelands. Coastal Shorelands are a unique and sensitive component of the coastal environment. These shorelands are invaluable for the protection and maintenance of water quality for fish and wildlife habitats, recreation and a variety of water-dependent uses.
2. The City recognizes the environmental, social, and economic values of Coastal Shorelands.
3. Water-dependent and water-related uses are preferred uses in the Coastal Shorelands.

Policies

1. Cooperate with appropriate government officials in the protection of biological, aesthetic, recreational, and economic values and benefits of shorelands under public control.
2. Reduce or mitigate adverse effects upon water quality and fish and wildlife habitat resulting from the use of shorelands.
3. To recognize, protect, and maintain the value of the Yachats River, Gender Creek, and Agency Creek, a vegetative buffer shall be provided from the edge of the bank. The buffer will contribute to maintenance and enhancement of water quality, fish and wildlife habitat, recreation and aesthetics, and provide open space. The vegetative buffer will also help protect property from flooding and help manage stormwater drainage.
4. To recognize, protect, and maintain the value of the ocean, a buffer shall be provided from the top of the bank. Existing stabilizing native vegetation shall not be removed within the buffer in order to help stabilize the bluff and mitigate erosion. The buffer will also help protect adjacent property from flooding and erosion.
5. Provide implementing ordinances in the Zoning & Land Use Code to protect, maintain, and stabilize the shoreline. Stabilization and erosion control methods shall be included in the Zoning & Land Use Code.
6. Develop and implement programs for maintaining and improving public access to the estuary and ocean and pursuing adequate signage of existing access points.
7. Support future public access sites to be accessible in conformance with the Americans with Disabilities Act (ADA).
8. Support structural shoreline stabilization to protect property or existing structures threatened by erosion.

9. Coordinate with the Oregon Department of Parks and Recreation and the Department of State Lands in any review of shoreline stabilization structures.
10. Existing public ownerships, rights-of-way and similar public easements in estuary and ocean shorelands which provide access to or along the estuary or ocean shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of existing developed Shoreland areas, provided public access across the affected site is retained.
11. All development shall be consistent with the priorities and policies of the Comprehensive Plan and implementing ordinances.

Proposed Actions

The City shall:

- a) Maintain and update Goal 17 inventories with best available science.
- b) Strengthen codes to protect Coastal Shorelands.
- c) Periodically updated the Coastal Shoreland Boundary map based on bluff changes.
- d) Include access points along the shoreline in the City's Natural Resources Map.
- e) Note the condition of access points and if they are compliant with the Americans with Disabilities Act (ADA). Identify the ADA non-compliant access points as future improvement projects.

Goal E. Natural Hazards

Yachats lies in a challenged area for natural geological hazards due to much of the city's topography and climate. The City is vulnerable to natural hazards and the impacts of climate change, such as rising sea levels and increased extreme weather events. These hazards are related to various environmental processes and the natural characteristics of the region, which under certain situations can cause significant impacts to property and potentially life. Yachats considers natural hazards to include river and ocean flooding, landslides, liquefaction potential due to earthquakes, tsunamis, river bank erosion, coastal erosion, drought, windstorms, winter storms, and wildfires. An approach to land use planning that incorporates sound scientific information, including geotechnical planning, engineering, and design is important. Additionally, to better manage potential results of these hazards, the City has worked closely with Lincoln County in the development of the Lincoln County Natural Hazards Mitigation Plan.

Goals

1. Reduce risk to people and property from natural hazards.
2. Integrate natural hazards information from the Lincoln County Natural Hazards Mitigation Plan (NHMP) into the City of Yachats plans, policies, programs, and implementation provisions.
3. Promote risk reduction to people and property from natural hazards through education and outreach, thus increasing community preparedness and resilience.

General Policies

1. Minimize development in natural hazard areas: While natural hazard areas may be developed consistent with the Comprehensive Plan and city land use regulation, whenever possible natural hazard areas shall be retained as open space, recreation use, and other low density uses.
2. Mitigation actions in the Lincoln County Natural Hazards Mitigation Plan shall be followed.

3. Recommendations in the Emergency Operations Plan shall be followed.
4. Encourage participation in Community Emergency Response Team (CERT) Programs.
5. Inform residents and business owners about preparedness measures.
6. Develop citywide stormwater management infrastructure.
7. Development adjacent to the Yachats River shall be planned to minimize any aggravation of the turbidity and seasonal low-flow situation.
8. Access and utilize federal and other grant dollars to implement measures to reduce risk to people and property, and protect against natural hazards.
9. Adopt and update maps, plans, inventories, policies, and implementing measures that reduce risk to people and property from natural hazards.

Specific Hazards addressed include:

Flood Hazards
Tsunami Hazards
Geologic Hazards
Wildfire Hazards
Drought Hazards
Landslide Hazards

Policies related to Specific Hazards:

Flood Hazard:

10. Lands in Yachats subject to risk from flooding are identified as Special Flood Hazard Areas on the Flood Insurance Rate Maps (FIRMs) issued by FEMA, which have been adopted by the City. Yachats participates in the National Flood Insurance Program (NFIP) to reduce the risk of damage from flooding and to ensure the availability of flood insurance to property owners and residents.
11. Adopt new or revised FIRM maps as necessary for continued participation in the National Flood Insurance Program.
12. Adopt, revise and maintain regulations for development in identified Special Flood Hazard Areas as necessary for continued participation in the NFIP.

Tsunami Hazard:

13. Support tsunami preparedness and related resilience efforts, including outreach to residents.
14. Protect life and property to the fullest extent feasible from the impact of a local source Cascadia Subduction Zone tsunami.
15. Use the Oregon Department of Geology and Mineral Industries (DOGAMI) Tsunami Inundation Maps (TIM) applicable to the City of Yachats to develop tsunami hazard resilience measures.
16. Adopt a Tsunami Hazard Overlay Zone for identified tsunami hazard areas to implement land use measures addressing tsunami risk.
17. Identify and address emergency access and evacuation routes and areas when making development decisions.

Geologic Hazards (liquefaction, earthquake, landslide, erosion):

18. Reduce risk to people, property and the natural environment by adopting land use regulations that address geologic hazards.
19. For the purpose of identifying and mitigating geologic hazards, geologic site reports shall be prepared by appropriately qualified professionals that evaluate the risk to the site as well as the risk the proposed development may pose to other properties. Such reports shall be prepared by a State of Oregon certified geoprofessional such as a Registered Geologist (RG), Certified Engineering Geologist (CEG), or Geotechnical Engineer (GE).
20. Recognize that steep slopes are not the only factor that should be used to identify landslide hazard areas. Other factors that must be considered along with slope steepness include: the type of development, the size and scale of the development, the weight and extent of the construction, the location of the vulnerable population, the location of the critical facilities, erosion (natural and human caused), and grading.
21. Require applications for subdivisions, Planned Unit Developments, and building permits to include plans for stormwater management.

Wildfire Hazard:

22. Adopt land use regulations that provide safeguards to reduce risk to people and property from wildfire hazards.
23. Communicate concerns regarding forest activities to the Oregon Department of Forestry.
24. Support the Yachats Rural Fire Protection District in its fire protection efforts.
25. Support the Lincoln County Community Wildfire Protection Plan (CWPP). Implement recommendations and mitigation actions supported by the citizens of Yachats.
26. Prepare for, respond to, and suppress wildland and structural fires.

Drought Hazards:

27. Support drought preparedness and related resilience efforts, including outreach to residents. Engage state, regional and local organizations in a collaborative effort to prepare and distribute water conservation information.
28. Support the City of Yachats Water Conservation Plan. Implement recommendations and mitigation actions supported by the citizens of Yachats.
29. Explore the opportunity to obtain funds for a feasibility study for additional water storage in the City.
30. Prepare and distribute water conservation information through annual public outreach campaigns to raise awareness about drought hazards and mitigation actions residents can take to reduce the impacts of drought in the city.

Proposed Actions

The City shall:

- a) Amend the City codes as necessary to reflect best practices related to mitigation of natural hazards.

- b) Prepare and distribute hazard preparedness information to all residents, property owners and business owners in the City, and make the information available at tourist accommodations (vacation rentals) and points of interest.
- c) Participate in emergency preparedness training drills on a regular basis with other agencies and jurisdictions.

Goal L. Beaches

Beaches and dunes are the physical environments at the very edge of the sea. These beaches are highly dynamic places; shaped by wind, waves, and currents. They serve as buffers between the energy of the ocean and the land. Beaches and dunes also provide the public with recreational opportunities and draw scores of visitors to Oregon each year.

Goals

1. To conserve, protect, where appropriate develop, and restore the resources and benefits of coastal beach and dune areas.
2. To reduce the hazard to human life and property from natural or human-induced actions associated with these areas.
3. Enhance existing access points to beaches and protect beaches from erosion and other degradation.

Policies

1. Prohibit residential development or commercial and industrial buildings on beaches, active foredunes, on other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding.
2. Adopt land use regulations that provide safeguards to reduce risk to people and property from coastal hazards.
3. Improve public access to the beach and river shores by acquiring land and easements.
4. Accept donations and dedications of land and easements for public access, open space, and habitat protection.
5. Identify appropriate sites for emergency and public access to the beach.
6. Investigate a diverse range of beach access types (pedestrian, official vehicular, view) and a range of amenities (parks, walkways/boardwalks, street ends) while maintaining a balance between resource protection and human use.

*Proposed additions to the text are underlined. Deletions are listed in ~~strikethrough~~. Comments are in [brackets].

[Staff Comments: Because each coastal jurisdiction is within Oregon’s Federally Approved Coastal Zone Management Program, we integrate all policies and codes into our approved plan. The City can make these policies into enforceable policies if they follow certain criteria. An important one is if policies include “The City shall” they only apply to actions of the city and not actions of applicants. By removing this phrase, the City can make these policies into enforceable policies.]

Yachats Community Characteristics

The City of Yachats is located on the Central Oregon Coast, in Lincoln County, Oregon, approximately 26 miles south of the City of Newport and 155 miles from the metropolitan area of the City of Portland. Yachats is located at the mouth of the Yachats River overlooking the Pacific Ocean. The City of Yachats has an average elevation of approximately 23 feet above sea level. The climate is moderate. The City consists of varying topography, ranging from ridgetops, steep hillsides, basalt cliffs, uplifted marine terrace deposits, river frontage and relatively level areas along US Highway 101. Development in Yachats spreads mostly north to south along US-Highway 101 and slightly east along Yachats River Road. Dense commercial areas in Yachats exist along US-Highway 101 and are centrally located downtown and around the Yachats River. Residential development surrounds the downtown commercial core.

The City of Yachats is rich with natural beauty and abundant natural resources. The coastal community offers recreational amenities, activities and attractions. In and around the community are the Yachats Commons, Smelt Sands State Recreation Site, Yachats State Recreation Area, the Yachats Ocean Road State Natural Site, and the US Forest Service Cape Perpetua Scenic Area.

Comprehensive Plan Policies

Goal A. Protection of Natural Resources

The City of Yachats is nestled among the rocky ocean shores and the forested hillsides on both sides of the Yachats River. Protecting the natural beauty of Yachats is very important. Protection of the historic elements, preserving open space, improving parks and trails, and conservation of natural habitats is valued in the community. In conjunction with county, state and federal agencies as well as area residents and landowners, there is a desire to protect and enhance the City’s rich natural, scenic and historic resources. Forests, beaches, water, wetlands, air quality, fish and wildlife habitats, historical and archaeological sites, and open space and scenic views all contribute to the high quality of the City’s environment. These resources are Yachats’ main assets in that they make it a beautiful place for people to live in and visit.

Goal

1. ~~In conjunction with county, state and federal agencies as well as area residents and landowners, The City shall work to protect and enhance its~~ the rich natural, scenic and Historic resources of the City of Yachats. ~~Forests, beaches and water areas, wetlands, air quality, fish and wildlife habitats, historical and archaeological sites, and, in particular, open space and scenic views all contribute to the high quality of the City's environment. These resources are Yachats' main~~

assets in that they make it a beautiful place for people to live in and visit. [Staff Comment: text moved to Goal A description above]

Policies

1. ~~The City shall ensure that the quality of air, water and land resources is maintained.~~ The quality of air, water, and land resources shall be maintained or enhanced where possible.
2. ~~The City shall p~~Protect significant marine habitats, as identified on the City's adopted Natural Resources Map and ~~i~~nventory ~~d~~Data, from proposed land uses that will, or might, modify their indigenous characteristics.
3. ~~The City shall P~~preserve existing publically owned open space. ~~and i~~Identify new areas appropriate for designation as public open space.
4. ~~The City shall e~~Encourage orderly development of land through zoning, land use codes and the timing and placement of public improvements in order to conserve natural resources.
5. ~~The City shall a~~Assist the State and County in protecting the County Road 804 right-of-way and the prescriptive easements accepted by the Oregon Supreme Court as established by the Lincoln County Surveyor (County Survey 11,905 dated 12/18/1987~~Survey 11,905 12/18/87~~) from alterations that would prevent the establishment and maintenance of this segment of the Oregon Coast Hiking Trail within the public right-of-way.
6. ~~The City shall c~~Concur with all pertinent and legally authorized agencies, both federal and state, in a mutual effort to retain the character of those natural qualities identified in the adopted Natural Resources Map and Inventory Data.
7. ~~The City shall c~~Consider the quality of the resources areas as shown on the adopted Natural Resources Map and Inventory Data in adopting land use designations or in undertaking land use actions or decisions. This Map shall include wetlands, riparian areas, estuaries, and coastal shorelands.
8. ~~The City shall direct its~~Direct growth so as not to encroach upon public or commercial forestlands. The inclusion of additional commercial forest lands within the UGB shall occur only upon finding that the land is needed for urban development.
9. ~~The City shall p~~Protect significant archaeological and historic resources through survey identification, map development, recordation and adoption of preservation codes, consistent with the standards of the State Historic Preservation Office (SHPO), affected tribes and federal laws. Specific sites for protection include, but are not limited to, the Little Log Church, Yachats Middens, Native American villages and other identified recorded or unrecorded archaeological or historic sites.
10. ~~The City shall Do~~ not support offshore oil and gas development and associated facilities due to potential conflicts with existing ocean fisheries, impacts on aesthetic and recreational values, and degradation of the marine environment. This includes leasing, exploration, and oil and gas extraction within the state territorial sea and federal waters.
11. Protect ~~E~~Established trees, which contribute to the aesthetic and environmental quality of the City.
12. Protect ~~S~~Significant trees and groves of trees ~~shall be protected~~ through a tree protection ordinance or ~~other~~ voluntary mechanisms to ensure their health and retention.
13. Protect ~~V~~iew sheds and corridors unique to~~are unique characteristics of~~ the City. They contribute to the community identity and aesthetic values of City residents and visitors.
14. ~~The City shall p~~Protect streams, ~~and~~ creeks, and wetlands.

15. ~~The City shall provide~~ Provide educational material regarding the responsible use of chemicals including but not limited to household chemicals, automotive chemicals, herbicides, and pesticides.

Proposed actions:

The City shall:

- a) ~~The City shall incorporate~~ Incorporate soil capacity analysis into the land use code for protection of prime forest soils.
- b) ~~The City shall develop a methodology to designate archaeological and historic properties to the City inventories.~~
- c) ~~The City shall conduct~~ Conduct archaeological and historic resource inventories consistent with Goal 5 and the State Historic Preservation Office (SHPO); rank and prioritize ~~and rank~~ significant properties for protective measures. Priority sites shall be identified on the City's Natural Resources ~~M~~map or a separate archaeological and historic resources map consistent with state law.
- d) ~~The City shall explore~~ Explore actions and prioritize actions to preserve trees and establish a tree protection ordinance.
- e) ~~The City shall identify~~ Identify and rank significant view sheds and corridors.
- f) ~~The City shall conduct~~ Update the a City-wide urban growth boundary natural resources inventory and assessment. [Staff comment: Goal 5 inventory was completed and safe harbor setbacks for streams and rivers were adopted.]
- g) ~~The City shall research~~ Research view protection strategies. Those strategies may include, but not be limited to, overlay zones, tree trimming standards, and voluntary deed restrictions. Ensure that view point protections do not conflict with other natural resource protections.
- h) ~~The City shall explore~~ Explore actions that would improve air quality, such as City-wide composting and replace wood burning stoves with electric stoves.
- i) ~~The City shall develop~~ Periodically update the an ordinance to protect inland stream and associated riparian areas.

Goal B. Protection of Estuarine Resources

In Yachats, the estuarine areas include all estuarine waters, intertidal areas, tidal wetlands and submerged and submersible lands up to the line of non-aquatic vegetation or the mean higher high-water line. These resource areas are important for fish and wildlife habitats, for preservation and protection, for estuarine productivity, and for research or educational needs.

In harmony with adjacent property owners and relevant government agencies, the City desires to protect its estuarine areas from development, dredging and fill. Therefore, these estuarine areas within the City need to be classified as a natural management unit, managed to conserve the natural habitats and wildlife therein.

Goal

1. ~~In concert with adjacent property owners and relevant government agencies, the City shall protect its estuarine areas from development, dredging and fill. All estuarine areas within Yachats Urban Growth Boundary are classified as a natural management unit, and will be~~

~~managed to conserve the natural habitats and wildlife therein.~~ [Staff Comment: text moved to Goal B description above]

2. To recognize, protect, maintain and restore the unique environmental, economic and social values of the designated estuarine areas.

Policies

1. ~~The City shall c~~Cooperate with appropriate government agencies in the development of biological, aesthetic, recreational, and economic values and benefits of the Yachats River Estuary, ~~subject to the availability of local funds and the individual commitment of local agencies and residents.~~
2. ~~The City shall,~~ in recognition of the unique ~~and abundant~~ qualities of the Yachats River estuary, work with Lincoln County and relevant special districts, the Department of State Lands, U.S. Army Corps of Engineers, and other state and federal agencies to comprehensively manage ~~in the implementation of the comprehensive estuarine management plan for the Yachats River estuary within the Yachats urban growth boundary.~~
3. ~~The City shall classify~~ The Yachats River is classified as a conservation estuary ~~and be shown~~ on ~~designate the River on the City's Natural Resource Map for purposes of resource management.~~ All estuarine areas within the Yachats urban growth boundary shall be classified as a natural management unit, and shall be managed to preserve the natural habitats and wildlife therein.
4. ~~The City shall p~~rotect the natural habitat areas and aesthetic values in all City decisions regarding land and/or water use actions in or affecting the estuary. The inventory information and the Natural Resources Map are sources of information regarding the aesthetic and natural values of the Yachats River estuary and the benefit derived therefrom to the City.
5. ~~The City shall allow dredging and fill in estuarine areas only: Protect estuarine areas through zoning and land use codes by evaluating dredging a fill activities.~~
 - a. ~~If required for navigation or other water dependent uses that require an estuarine location or for a use specifically allowed in the applicable estuary zone;~~
 - b. ~~If a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and~~
 - c. ~~If no feasible alternative upland locations exist; and~~
 - d. ~~If adverse impacts are minimized.~~

~~Other uses and activities which could alter the estuary shall be allowed if the requirements in (b), (c), and (d) are met~~
6. Permitted uses in the natural estuary management unit are ~~intended to be~~ undeveloped low-intensity, water-dependent recreational uses; protection of wildlife and their habitat and nutrients, fish, wildlife and aesthetic resources; research and educational observation; navigation aids; vegetative shoreline stabilization; and passive restoration measures. ~~Uses which are allowed where consistent with the resource capabilities of the area and the purposes of this management unit are active restoration of fish and wildlife habitat or water quality and estuarine enhancement; on-site maintenance and repair of existing structures or facilities; riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archaeological values, and public facilities; temporary alterations, and pipelines, cables and utility crossings, including incidental dredging necessary for their installation, and bridge crossing support structures.~~

7. ~~Allow Snag and debris removal for the purpose of maintenance shall be allowed in the estuary as permitted by Federal and State Agencies.~~
8. Unless specifically exempted by the Director of the Department of State Lands under ORS 196.830 541.626 dredging or fill (including dredged material disposal) in intertidal or tidal marsh areas shall be mitigated by creation, restoration or enhancement of estuarine areas. The adequacy of a proposed mitigation project shall be determined by the Department of State Lands.
9. ~~The City shall~~ require a clear presentation of the impacts of the proposed alteration where a use could potentially alter the estuarine ecosystem.
10. The estuarine and coastal shoreland habitat resources designated as significant on the Natrual Resources Map shall be protected with an overlay district.

Proposed Actions

The City shall:

- a) ~~d~~Develop the City's Natural Resources Map. Designate the Yachats River on the City's Natural Resource Map for purposes of estuarine resource management.
- b) ~~The map shall include access points along the shoreline and note the condition of accesses and if whether they are compliant with the Americans with Disabilities Act (ADA).~~ [Staff comment: moved to Goal C]

Goal C. Protection of Shoreland Resources

Coastal Shorelands are a unique and sensitive component of the coastal environment. These shorelands are an invaluable resource for the protection and maintenance of water quality for fish and wildlife habitats, recreation and a variety of water-dependent uses.

Statewide Goal 17 calls for the conservation and protection of coastal shoreland resources and benefits. The Coastal Shorelands Planning Area is defined as all lands west of the Oregon Coast Highway (Highway 101) as described in ORS 366.235, including the western section of Gender Creek. Any other streams and creeks that intersect the shoreland, shall be in accordance with Yachats Comprehensive Plan Goal A, Protection of Natural Resources, Policy 13. The purpose of the Coastal Shorelands designation is to establish areas for inventory, study and planning for development and use to meet Statewide Planning Goal 17 (see natural resources map).

Lands contiguous with the ocean, estuaries, and coastal lakes shall be identified as coastal shorelands and shall include:

1. Areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake;
2. Adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body;
3. Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas;
4. Areas of significant shoreland and wetland biological habitats whose habitat quality is primarily derived from or related to the association with coastal water areas;

5. Areas necessary for water-dependent and water-related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, dredge material disposal and mitigation sites, and areas having characteristics suitable for aquaculture;
6. Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas; and
7. Coastal headlands.

Statewide Planning Goal 17 outlines planning and management requirements for the lands bordering estuaries (as well as lands bordering the ocean shore and coastal lakes). In general, the requirements of Goal 17 apply in combination with other planning goals to direct the appropriate use of shoreland areas. Provisions in Goal 17 specifically focus on the protection and management of resources unique to shoreland areas; examples of such resources include areas of significant shoreland habitat, lands especially suited for water dependent uses, lands providing public access to coastal waters, and potential restoration or mitigation sites. Implementing ordinances shall be consistent with Goal 17.

All inventories, policies and planning efforts outlined in this section of the Comprehensive Plan should be coordinated with the City's goals for Open Spaces, Scenic and Historic Areas and Natural Resource (Statewide Planning Goal 5, Comprehensive Plan Goal A), Air, Water and Land Resources Quality (Statewide Planning Goal 6, Comprehensive Plan Goal A), Areas Subject to Natural Disasters and Hazards (Statewide Planning Goal 7, Comprehensive Plan Goal E), Recreational Needs (Statewide Planning Goal 8, Comprehensive Plan Goal F), Economy of the State (Statewide Planning Goal 9, Comprehensive Plan Goal H) Estuaries (Statewide Planning Goal 16, Comprehensive Plan Goal B), and Beaches and Dunes (Statewide Planning Goal 18, Comprehensive Plan Goal L).

Goals

1. Recognize, protect, maintain and restore Coastal Shorelands. Coastal Shorelands are a unique and sensitive component of the coastal environment. These Shorelands are invaluable for the protection and maintenance of water quality for fish and wildlife habitats, recreation and a variety of water-dependent uses.
2. The City recognizes the environmental, social, and economic values of Coastal Shorelands.
3. ~~The City shall coordinate with state agencies to protect its coastal shorelands from development through shoreline stabilization activities.~~ Water-dependent and water-related uses are preferred uses in the Coastal Shorelands. In order, then, to maintain the environmental, social and economical values of the shorelands, the City shall apply the following policies to its land use actions/ decisions:

Policies

1. ~~The City shall~~ cooperate with appropriate government officials in the protection of biological, aesthetic, recreational, and economic values and benefits of shorelands under public control.
2. ~~The City shall~~ Reduce or mitigate adverse effects upon water quality and fish and wildlife habitat resulting from the use of shorelands.
3. ~~In order, then,~~ To recognize, protect, and maintain the value of the Yachats River, Gender Creek, and Agency Creek, a vegetative buffer shall be provided from the edge of the bank. The buffer will contribute to maintenance and enhancement of water quality, fish and wildlife habitat,

recreation and aesthetics, and provide open space. The vegetative buffer will also help protect property from flooding and help manage stormwater drainage.

4. ~~In order to~~ recognize, protect, and maintain the value of the ocean, a buffer shall be provided from the top of the bank. Existing stabilizing native vegetation shall not be removed within the buffer in order to help stabilize the bluff and mitigate erosion. The buffer will also help protect adjacent property from flooding and erosion.
5. ~~The City shall provide~~ implementing ordinances in the Zoning & Land Use Code to protect, maintain, and stabilize the shoreline. Stabilization and erosion control methods shall be included in the Zoning & Land Use Code.
6. ~~The City shall develop~~ and implement programs for maintaining and improving public access to the estuary and ocean and pursuing adequate signage of existing access points. ~~The City~~
- 6.7. ~~Supports~~ future public access sites to be accessible in conformance with the Americans with Disabilities Act (ADA).
- 7.8. ~~The City shall~~ Support structural shoreline stabilization to protect property or existing structures threatened by erosion, only if:
 - a. ~~There is a demonstrated need to protect property or existing structures that are threatened by erosion;~~
 - b. ~~Impacts on adjacent property due to increased erosion and sedimentation are minimized;~~
 - c. ~~Visual impacts are minimized;~~
 - d. ~~Long-term or recurring costs to the public are avoided;~~
 - e. ~~Riparian vegetation is preserved as much as possible; and~~
 - f. ~~The proposed project will not restrict existing public access to publicly owned lands or interfere with the normal public use of fishery, recreation, or water resources.~~
- 8.9. ~~The City shall coordinate~~ with the Oregon Department of Parks and Recreation and the Department of State Lands in any review of ~~beachfront protective~~ shoreline stabilization structures.
- 9.10. Existing public ownerships, rights-of-way and similar public easements in estuary and ocean shorelands which provide access to or along the estuary or ocean shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of existing developed Shoreland areas, provided public access across the affected site is retained.
- 10.11. All development shall be consistent with the priorities and policies of the Comprehensive Plan and implementing ordinances.

Proposed Action

The City shall:

- a) Maintain and update Goal 17 inventories with best available science.
- b) ~~Where necessary, the City shall~~ strengthen codes to protect Coastal Shorelands.
- c) Periodically updated the Coastal Shoreland Boundary map based on bluff changes.
- d) Include access points along the shoreline in the City's Natural Resources Map.

- e) Note the condition of access points and if they are compliant with the Americans with Disabilities Act (ADA). Identify the ADA non-compliant access points as future improvement projects.

Goal E. ~~Protection from Natural Hazards and Disasters~~

Yachats lies in a challenged area for natural geological hazards due to much of the city's topography and climate. The City is vulnerable to natural hazards and the impacts of climate change, such as rising sea levels and increased extreme weather events. These hazards are related to various environmental processes and the natural characteristics of the region, which under certain situations can cause significant impacts to property and potentially life. Yachats considers natural hazards to include river and ocean flooding, landslides, liquefaction potential due to earthquakes, tsunamis, river bank erosion, coastal erosion, drought, windstorms, winter storms, and wildfires. An approach to land use planning that incorporates sound scientific information, including geotechnical planning, engineering, and design is important. Additionally, to better manage potential results of these hazards, the City has worked closely with Lincoln County in the development of the Lincoln County Natural Hazards Mitigation Plan.

Goals

1. ~~Reduce risk to people and property from natural hazards.~~

~~1.2. Yachats lies in a challenged area for is vulnerable to natural geological hazards due to much of the city's topography and climate. The City is vulnerable to and the results impacts of climate changes as they relate to , such as rising sea levels and increased extreme weather related events. These hazards are related to various environmental processes and the natural characteristics of the region, which under certain situations can cause significant impacts to property and potentially life. An approach to land use planning that reflects the need to have development that is accountable to incorporates sound scientific information, including geotechnical planning, engineering, and design is important. [Staff Comment: Text moved above to the Goal E description].~~

~~2. Through regulation of the location and type of development, the City shall work to protect life and property from natural disasters and hazards, such as droughts, landslides, wildfires, tsunamis, and flooding. The City recognizes that with the reduction of wildland fuels, we move closer to achieving the goal of all structures surviving an on-coming fire. The City regulates activities in known areas of natural hazards and limits development that may affect the integrity of steep slopes or impact fire hazards.~~

~~3. To reduce risk to people and property from natural hazards.~~

~~3.4. Integrate natural hazards information from the Lincoln County Natural Hazards Mitigation Plan (NHMP) into the City of Yachats plans, policies, programs, and implementation provisions.~~

~~4.1. Promote risk reduction to people and property form natural hazards through education and outreach, thus increasing community preparedness and resilience.~~

General Policies

1. Minimize development in natural hazard areas: While natural hazard areas may be developed consistent with the Comprehensive Plan and city land use regulation, whenever possible natural hazard areas shall be retained as open space, recreation use, and other low density uses.
2. Mitigation actions in the Lincoln County Natural Hazards Mitigation Plan shall be followed.
3. Recommendations in the Emergency Operations Plan shall be followed.

~~4. Developments subject to damage or that could result in property damage and or loss of life shall not be planned nor located in known areas of natural hazards without appropriate effective mitigation strategies. Such strategies shall be attested to by a State of Oregon certified geoprofessional such as a Registered Geologist (RG), Certified Engineering Geologist (CEG), or Geotechnical Engineer (GE) as appropriate. Optional to include the definitions: RGs provide geologic maps and documents and are licensed by the Oregon State Board of Geologist Examiners (OSBGE). CEGs provide engineering geologic reports and are licensed by the Oregon State Board of Geologist Examiners (OSBGE). A GE is a Professional Engineer (PE) with the specific training, expertise, and experience to qualify as a GE. GEs provide geotechnical engineering reports and are licensed by the Oregon Board of Examiners for Engineering and Land Surveying (OSBEELS). Encourage participation in Community Emergency Response Team (CERT) Programs.~~

~~2.5. Inform residents and business owners about preparedness measures.~~

~~6. Develop citywide stormwater management infrastructure.~~

~~7. Development adjacent to the Yachats River shall be planned to minimize any aggravation of the turbidity and seasonal low-flow situation.~~

~~3.8. Access and utilize federal and other grant dollars to implement measures to reduce risk to people and property, and protect against natural hazards.~~

~~4.9. Adopt and update maps, plans, inventories, policies, and implementing measures that reduce risk to people and property from natural hazards.~~

Specific Hazards addressed include:

Flood Hazards

Tsunami Hazards

Geologic Hazards

Wildlife Hazards

Drought Hazards

Landslide Hazards

~~engineering geologist.~~

Policies related to Specific Hazards:

Flood Hazard:

~~5.10. Lands in Yachats subject to risk from flooding are identified as Special Flood Hazard Areas on the Flood Insurance Rate Maps (FIRMs) issued by FEMA, which have been adopted by the City. Yachats participates in the National Flood Insurance Program (NFIP) to reduce the risk of damage from flooding and to ensure the availability of flood insurance to property owners and residents.~~

~~6.11. Adopt new or revised FIRM maps as necessary for continued participation in the National Flood Insurance Program.~~

~~7.12. Adopt, revise and maintain regulations for development in identified Special Flood Hazard Areas as necessary for continued participation in the NFIP.~~

~~8. New construction or substantial improvements in identified flood hazard areas shall have the lowest floor level elevated to or two feet above the base flood elevation 100-year flood level.~~

~~9. Low density and open space uses that are least subject to loss of life or property damage shall be preferred uses in flood-prone and steep-sloped areas.~~

Tsunami Hazard:

- ~~10-13.~~ Support tsunami preparedness and related resilience efforts, including outreach to residents.
- ~~11-14.~~ Protect life and property to the fullest extent feasible from the impact of a local source Cascadia Subduction Zone tsunami.
- ~~12-15.~~ Use the Oregon Department of Geology and Mineral Industries (DOGAMI) Tsunami Inundation Maps (TIM) applicable to the City of Yachats to develop tsunami hazard resilience measures.
- ~~13-16.~~ Adopt a Tsunami Hazard Overlay Zone for identified tsunami hazard areas to implement land use measures addressing tsunami risk.
- ~~14-17.~~ Identify and address emergency access and evacuation routes and areas when making development decisions.

Geologic Hazards (liquefaction, earthquake, landslide, erosion):

- ~~15-18.~~ Reduce risk to people, property and the natural environment by adopting land use regulations that address geologic hazards.
- 19. For the purpose of identifying and mitigating geologic hazards, geologic site reports shall be prepared by appropriately qualified professionals that evaluate the risk to the site as well as the risk the proposed development may pose to other properties. Such reports shall be prepared by a State of Oregon certified geoprofessional such as a Registered Geologist (RG), Certified Engineering Geologist (CEG), or Geotechnical Engineer (GE).
- ~~16-20.~~ Steep slopes are not the only factor that should be used to identify landslide hazard areas. Other factors that must be considered along with slope steepness include: the type of development, the size and scale of the development, the weight and extent of the construction, the location of the vulnerable population, the location of the critical facilities, erosion (natural and human caused), and grading.
- ~~17-21.~~ Require applications for subdivisions, Planned Unit Developments, and building permits to include plans for stormwater management.

Wildfire Hazard:

- ~~18. The density of development shall be no greater than the slope can safely accommodate.~~
- ~~19. The City shall follow recommendations and accomplish mitigation actions in the Lincoln County Natural Hazards Mitigation Plan.~~
- ~~20-22.~~ Adopt land use regulations that provide safeguards to reduce risk to people and property from wildfire hazards.
- ~~21-23.~~ The City shall address Communicate concerns regarding forest activities to the Oregon Department of Forestry.
- ~~22. The City shall participate in Community Emergency Response Team (CERT) Programs and will help or take the lead to inform its residents and business owners about preparedness measures.~~
- ~~23. The City shall develop a citywide storm water management infrastructure.~~
- ~~24. The City is committed to supporting~~ the Yachats Rural Fire Protection District in its fire protection efforts.
- ~~25. The City shall support~~ the Lincoln County Community Wildfire Protection Plan (CWPP). Implement recommendations and mitigation actions supported by the citizens of Yachats.

26. ~~The City shall access and utilize federal and other grant dollars to implement measures to protect against natural hazards and disaster.~~

~~27. The City shall set realistic expectations to Reduce wildland fire risk.~~

~~27-28. P,~~ prepare for, respond to, and suppress wildland and structural fires.

~~28. For the purpose of identifying and mitigating geologic hazards the City shall require geologic site investigation reports prepared by appropriately qualified professionals that evaluate the risk to the site as well as the risk the proposed development may pose to other properties.~~

~~29. The City shall seek to adopt and update maps, plans, inventories, policies, and implementing measures that reduce risk to people and property from natural hazards.~~

~~30. The City shall give special attention to identify emergency access and evacuation routes and areas, outreach to residents, and emergency access and evacuation when making development decisions.~~

Drought Hazards:

~~31-29.~~ Support drought preparedness and related resilience efforts, including outreach to residents. Engage state, regional and local organizations in a collaborative effort to prepare and distribute water conservation information.

~~32-30.~~ Support the City of Yachats Water Conservation Plan. Implement recommendations and mitigation actions supported by the citizens of Yachats.

~~33-31.~~ Explore the opportunity to obtain funds for a feasibility study for additional water storage in the City.

~~34-32.~~ Prepare and distribute water conservation information through annual public outreach campaigns to raise awareness about drought hazards and mitigation actions residents can take to reduce the impacts of drought in the city.

Proposed Actions

The City shall:

- a) ~~The City shall a~~ Amend the City codes as necessary to reflect best practices related to mitigation of natural hazards~~s and disaster prevention and mitigation.~~
- b) ~~The City shall p~~ Prepare and distribute tsunami hazard preparedness information to all residents, property owners and business owners in the City, ~~and~~ ~~The City shall~~ make the information available at tourist accommodations (vacation rentals) and points of interest.
- c) ~~The City shall p~~ Participate in emergency preparedness training drills on a regular basis with other agencies and jurisdictions.
- d) ~~Applications for subdivisions, Planned Unit Developments, and building permits shall include plans for storm water management. [Staff comment: moved to policies above.]~~
- e) ~~Requests for /and submittal of building permits shall include plans for storm water management.~~

Goal L. Beaches

Beaches and dunes are the physical environments at the very edge of the sea. These beaches are highly dynamic places; shaped by wind, waves, and currents. They serve as buffers between the energy of the ocean and the land. Beaches and dunes also provide the public with recreational opportunities and draw scores of visitors to Oregon each year.

Goals

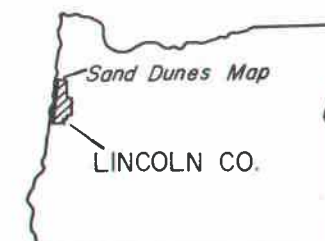
To conserve, protect, where appropriate develop, and restore the resources and benefits of coastal beach and dune areas.

To reduce the hazard to human life and property from natural or human-induced actions associated with these areas.

~~The City shall work to~~ Enhance ~~enhance~~ existing access points to its beaches and protect its beaches from erosion and other degradation.

Policies

1. ~~The City shall, in conjunction with applicable County, State and Federal agencies, p~~Prohibit residential ~~development or~~ commercial and industrial buildings ~~or development~~ on beaches, ~~active foredunes, on other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding and along waters of the state.~~
2. Adopt land use regulations that provide safeguards to reduce risk to people and property from coastal hazards.
3. ~~The City shall~~ improve public access to the beach and river shores by acquiring land and easements.
4. ~~The City shall~~ accept donations and dedications of land and easements for public access, open space, and habitat protection.
5. ~~The City shall~~ identify appropriate sites for emergency and public access to the beach.
6. ~~The City shall~~ investigate a diverse range of beach access types (pedestrian, official vehicular, view) and a range of amenities (parks, walkways/boardwalks, street ends) while maintaining a balance between resource protection and human use.



LOCATION MAP

DUNE LEGEND

- B Beach
- CT Coastal terrace
- DC Dune complex of OS, OSC, DS, and W
- DS Younger stabilized dunes
- FD Recently stabilized foredunes A
- FDA Active foredunes
- H Active dune hummocks
- M Mountain scarp
- ODS Older stabilized dunes
- OFD Older foredunes
- OS Open dune sand
- (OS) Designates items of secondary importance
- OSC Open dune sand conditionally stable
- W Wet interdune
- WDP Wet deflation plain
- WFP Wet flood plain
- WMF Wet mountain front
- WSP Wet surge plain

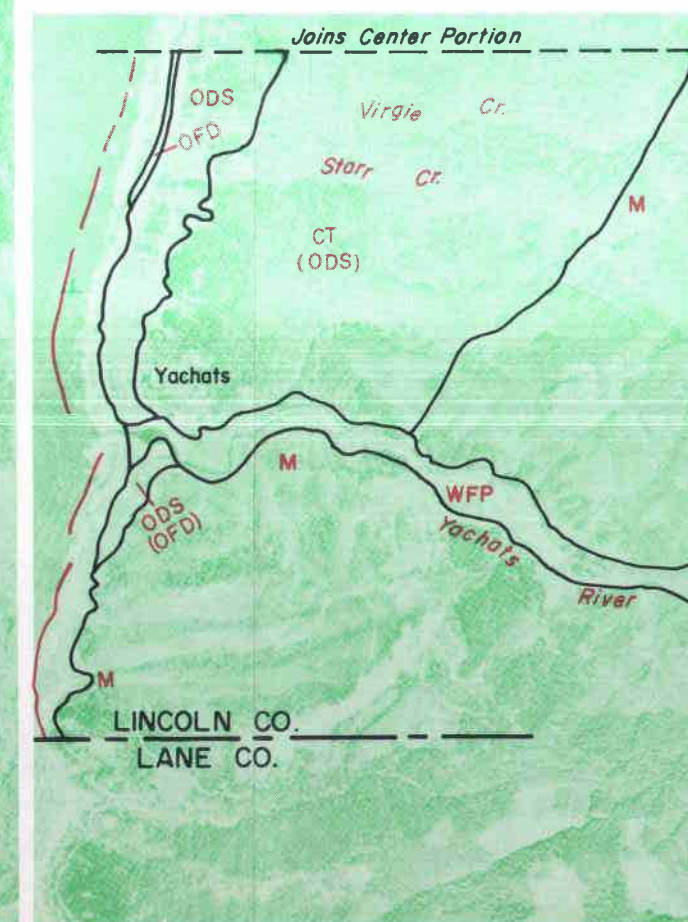
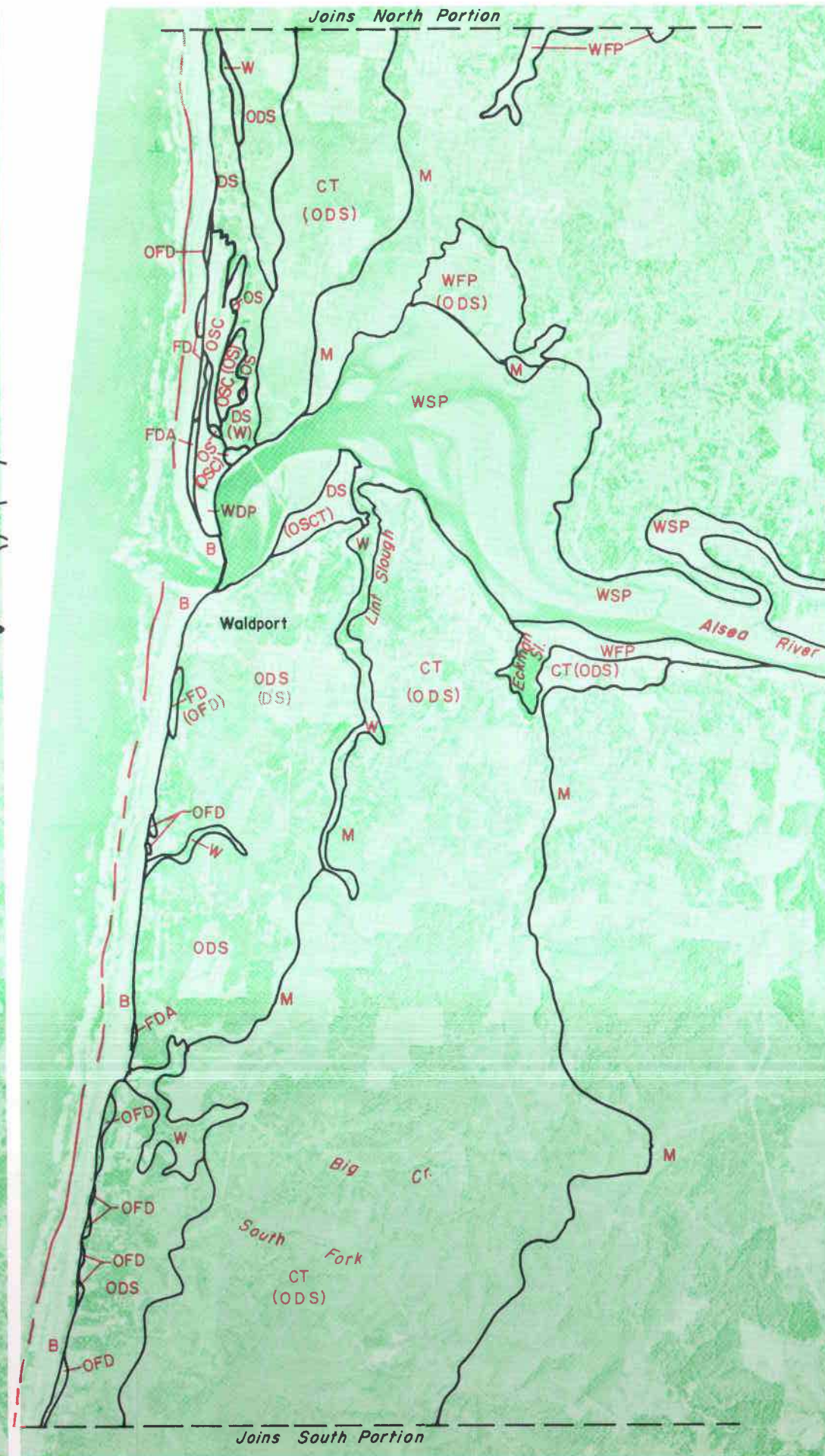
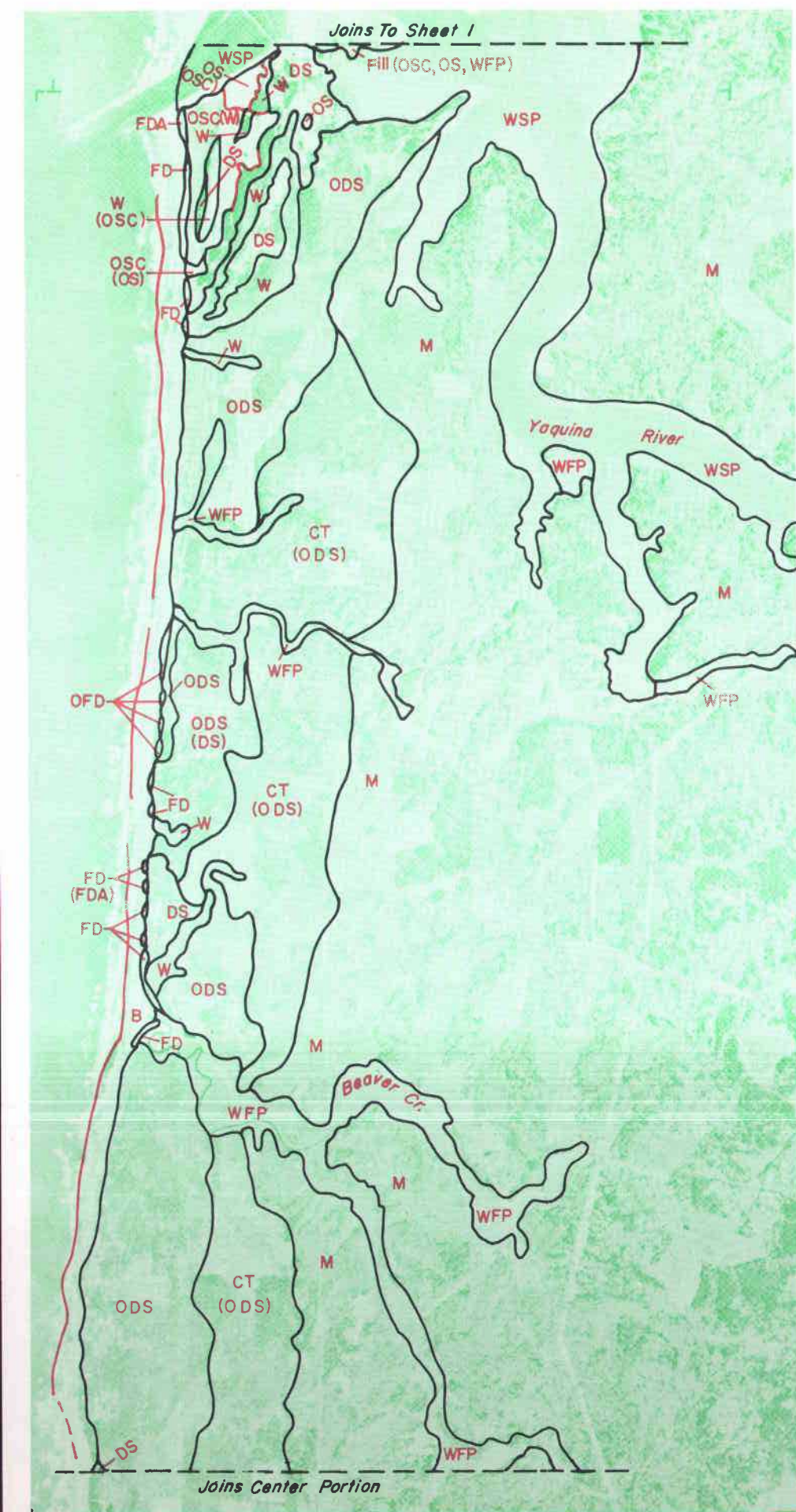
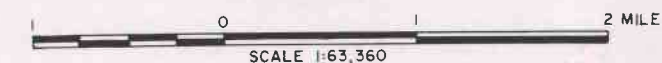
GENERAL LEGEND

- (OS) Dune or interdune boundary
- Dune movement threatening or stable dune being wind eroded
- Ocean or river undercutting
- Lakes or ponds

SAND DUNES MAP
LINCOLN COUNTY, OREGON

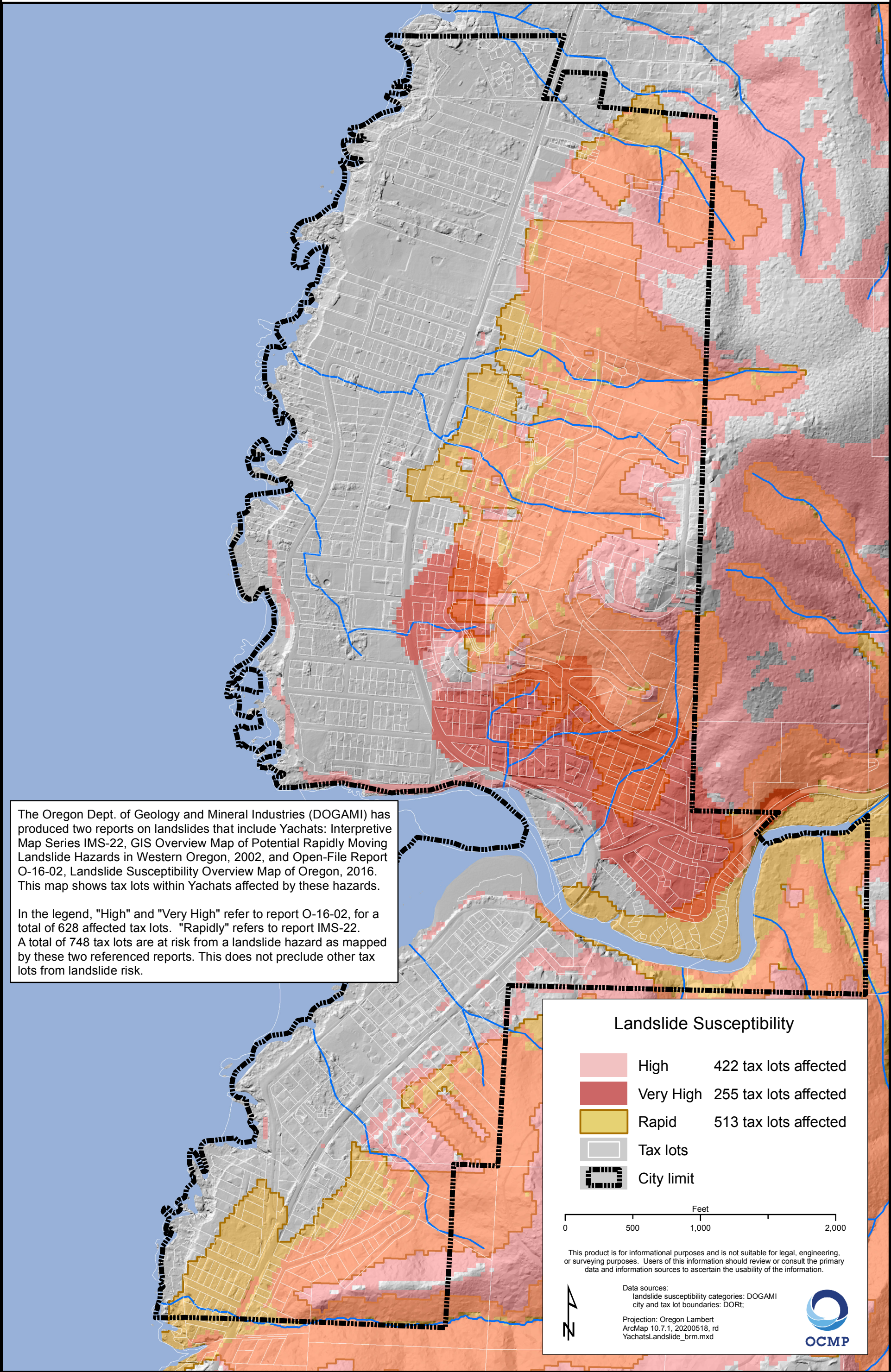
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

JUNE 1974

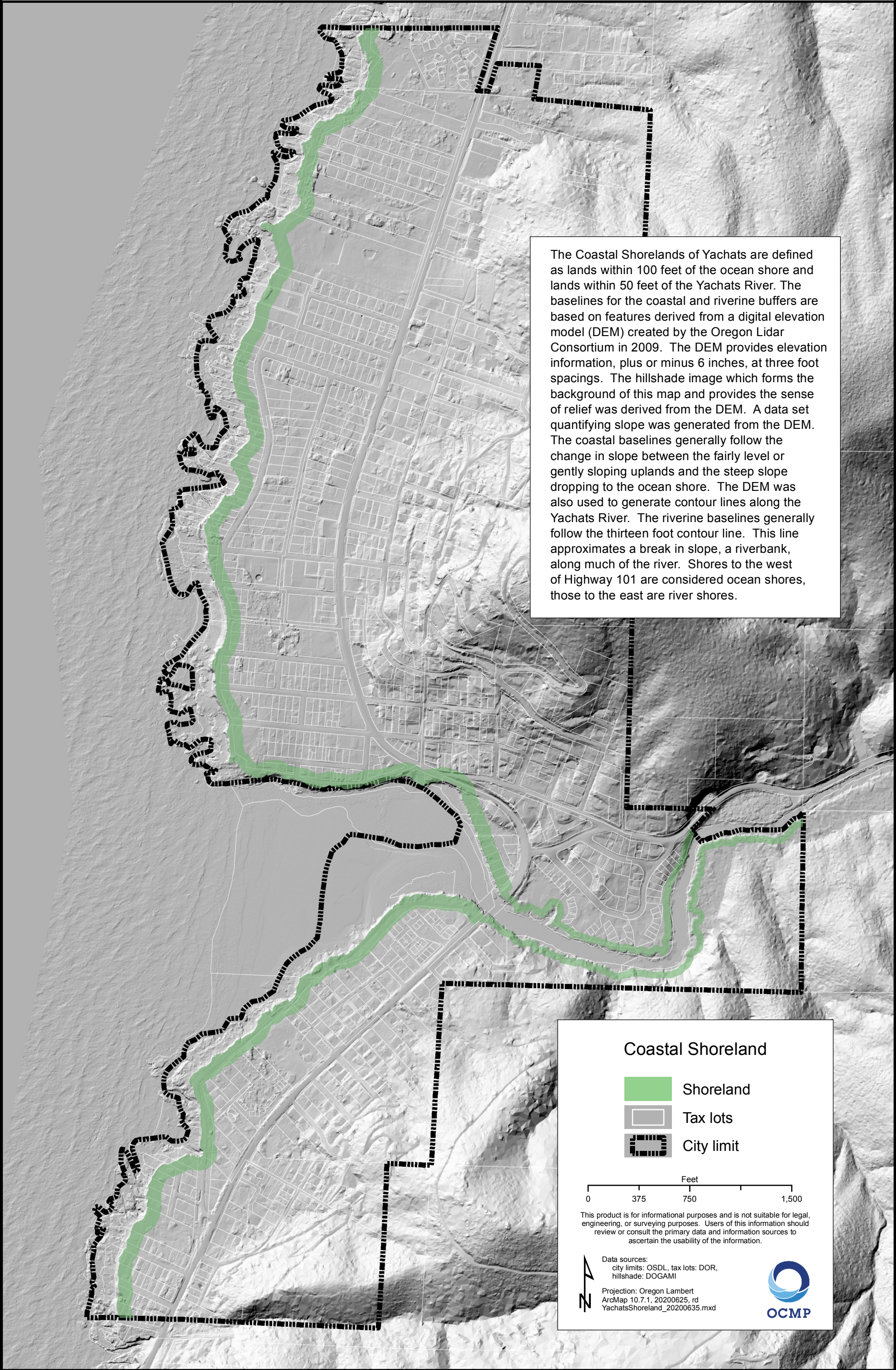


Yachats Landslide Susceptibility

Tax lots exposed to rapidly moving landslides and susceptible to “high” and “very high” categories of landslide



City of Yachats Goal 17 Shoreland Area



The Coastal Shorelands of Yachats are defined as lands within 100 feet of the ocean shore and lands within 50 feet of the Yachats River. The baselines for the coastal and riverine buffers are based on features derived from a digital elevation model (DEM) created by the Oregon Lidar Consortium in 2009. The DEM provides elevation information, plus or minus 6 inches, at three foot spacings. The hillshade image which forms the background of this map and provides the sense of relief was derived from the DEM. A data set quantifying slope was generated from the DEM. The coastal baselines generally follow the change in slope between the fairly level or gently sloping uplands and the steep slope dropping to the ocean shore. The DEM was also used to generate contour lines along the Yachats River. The riverine baselines generally follow the thirteen foot contour line. This line approximates a break in slope, a riverbank, along much of the river. Shores to the west of Highway 101 are considered ocean shores, those to the east are river shores.

Coastal Shoreland

Shoreland

Tax lots

City limit

03757501,500

Feet

This product is for informational purposes and is not suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

N

Data sources:
city limits: OSDL, tax lots: DOR,
hillshade: DOGAMI

Projection: Oregon Lambert
ArcMap 10.7.1, 20200625, rd
YachatsShoreland_20200635.mxd



OCMP