



City of Yachats

PLANNING COMMISSION

July 21, 2020

Draft Minutes

I. Call to Order

Chair Helen Anderson called the July 21, 2020 meeting of the Yachats Planning Commission to order at 3:09 pm via Zoom. Members present: Helen Anderson, Loren Dickinson, Lance Bloch, Christine Orchard, Jacqueline Danos. Absent: none. Staff present: Deputy Clerk Kimmie Jackson. Also present: COG Planner Justin Peterson and Meg Reed from the Department of Land Conservation and Development. Audience: 2.

II. Announcements and Correspondence

Anderson noted that Ariana Carlson was interested in applying to the Planning Commission.

III. Minutes

A. June 16, 2020 Work Session Meeting

Commissioner Dickinson moved to approve the June 16, 2020 Work Session meeting minutes as presented: Aye – 5; No – 0.

IV. Citizen's Concerns

Ann Stott (Driftwood Lane) thanked the Commission for working on this lighting ordinance.

V. Public Hearings - none

VI. Business

A. Danos Questions

Commissioner Danos indicated she wanted to hear what each Commissioner thought about each of her questions.

Anderson stated that question 5 regarding areas that should be examined or updated by the Commission that every January, the Commission establishes its goals for the upcoming year.

Anderson stated she saw the role of the Planning Commission to update the code, update the Comp Plan, address needed code from the Comp Plan update, and to conduct land use hearings around variances and conditional uses. She did not think the City Council had asked the Commission to do more.

1 Dickinson noted that ORS 227.090 allowed for the Commission to do more than it was
2 currently doing. He noted this statute indicates the role of planning to include streets,
3 public thoroughfares, parking, traffic and the like. He stated these items related to the
4 Driftwood project. Dickinson also noted the statement that the Commission can be
5 responsible for the beautification of the City. He was surprised at the broad range of the
6 Commission. He stated that this Commission has not had the time to take on work in other
7 areas.

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9 Commissioner Bloch noted the Yachats Code section 2.04.040 was brief and agreed the
10 state statute was broad. He interpreted the state statute to mean that the Commission
11 could do these other tasks but were not required to do so. He added that Yachats was
12 small with no urban growth boundary meant that this Commission would have a narrower
13 focus. Bloch added that if the Commission took on tasks that the Council did not ask for
14 could mean that such work could be rejected by the Council. Anderson added that at the
15 last Chairs meeting, the City Manager stated that some were of the opinion that
16 Commissions were venturing off too much on their own.

17
18 Commissioner Orchard agreed with Bloch on the need to limit the focus because of the
19 Commission's limited time. She did not think the Commission could take on a larger role.
20

21 Anderson reported the new City Planner will be working two days each week, compared to
22 the past when it was one day. She speculated the planner could do more of the drafting of
23 code that could speed up the work of the Commission.
24

25 Danos stated that the state statute was how she envisioned planning to work. She
26 believed the Commission should take initiative and not wait for the City Council to give
27 direction on specific work. She noted how the world has changed since the last review of
28 the Comp Plan.
29

30 Danos suggested the Commission should have two work sessions each month. She also
31 believed the planners could do more of the drafting of code. Carlson added that she can
32 edit documents. She wanted to have for twenty years ahead to allow for needed
33 development and growth. She stated she was wanting to determine how her vision fit with
34 the Commission. She also wanted the Commission to be more involved in regional
35 planning.
36

37 Dickinson noted the limitations on the growth of Yachats due to the boundaries. He
38 believed it made sense to focus on working with the code and ordinances to continue to
39 make Yachats livable, safe, and maintainable. He did not see how this Commission could
40 get into all of the areas mentioned in the state statute under the time they have.
41

42 Danos indicated that the City will grow whether people want it or not. She cited an
43 example of allowing single family homes to be built in commercial and more dense
44 residential zones. She indicated this approach limits the amount of work force housing
45 that can be built. Anderson stated she did not think many residents wanted to grow in the
46 way Danos was describing. Anderson noted they can do a survey as part of the Comp
47 Plan review.
48

Commissioners discussed how money played a role in development of work force housing. Danos believed builders would not develop more affordable housing if they could build a single-family home instead. Anderson suggested Danos speak with Layne Morrill about development of the Fistera properties.

Anderson summarized that most seem to agree with Danos in wanting to do more broad planning, but such an approach was not possible with a schedule of one meeting per month. Orchard asked Danos if she had gotten answers to her questions. Danos indicated she had a sense of the position of the Commission.

Carlson asked if the Commission was doing all of the City's planning in one meeting per month. Bloch stated the Commission sometimes had additional meetings when needed and that the planner also works on planning issues.

Bloch recalled when he first heard about paving Driftwood, it appeared to be a simply paving overlay. He believed that project should have been passed through the Planning Commission when it became a much larger project. Danos clarified that the area was still not a street. Carlson asked how work could begin if it were not currently a right of way. Anderson stated that Rick McClung had stated that ODOT indicated to him that as long as the land dedication was underway, it was ok to commence the project.

Carlson wanted to contact someone about the ecological impact. She was referred to Council.

Anderson clarified with Commissioners that they wanted to keep the once per month regular schedule with special work sessions as needed. Bloch noted they had scheduled extra meetings during two out of the last four months. Anderson asked Commissioners to think more about additional meetings and they could revisit the topic at the next meeting. She added that she had concern about retaining Commissioners if the work load and meeting frequency increased, noting they were already being restricted to meeting during office hours and having materials out ten days in advance.

Danos indicated she would send her comments to everyone. Anderson stated she could send something through BCC as long as no one replied.

Bloch clarified that the Commission did not want to send a letter regarding the Driftwood project as a body but only as individuals.

Commissioners reviewed how the Driftwood project evolved and what additional steps were forthcoming.

B. Hazard Mitigation Code Changes

9.52.050 Geological Hazard Overlay Zone

Danos thanked Peterson for his work on drafting these code changes.

B.4.a: Anderson clarified that the 12% slope was taken from the existing code. Danos clarified that this slope amount can range from 12 to 20%.

1 **D.2.h:** Anderson asked where the numbers for the tree diameter and percent came from.
2 Peterson indicated this language was new.

3
4 Danos noted that the reference to who approved items varied from City of Yachats,
5 Planner and Planning Commission. Anderson noted the Planning Commission needed to
6 be stipulated if that were the body being asked to do something, but the other citations
7 should be to a common reference, such as City of Yachats.

8
9 **D.2.i:** Anderson interpreted this regulation to state that a geohazard permit was not
10 required to remove vegetation on slopes less than 25%. Other Commissioners did not see
11 an issue with this statement.

12
13 **D.4.a:** Dickinson asked that “to scale” and “accurate” be added to reference to site plans to
14 read, “A to scale site plan that accurately illustrates...” Danos added that this language
15 should be added throughout this code.

16
17 **F.1:** Anderson asked why people were being asked to build movable houses. She asked
18 that items i and ii under F.1 be removed. Dickinson asked if this language was trying to
19 say to not penetrate the ground. Peterson indicated he would check with Reed to see if it
20 could be removed.

21
22 **F.2:** Dickinson believed that item i would be in conflict with building codes. Commissioners
23 wanted to remove items i and ii from F.2. Anderson noted the Commission had the intent
24 of not wanting to make it easier to build on steep slopes.

25
26 **G:** Anderson asked if this section was consistent with the setback for the Yachats River.
27 Peterson noted that this requirement was for the shoreland, not rivers. Anderson was not
28 clear whether all hazard areas or just oceanfront areas should be included. Bloch noted
29 that such language would preclude docks. Commissioners discussed how rivers would fit
30 into the concept of why this regulation was present. Peterson indicated he would look into
31 the reason for this section.

32
33 Danos asked Peterson to compare this part of the code to what currently exists.

34
35 **H.1.4:** Danos asked that any replanting be done with native plants. Orchard argued this
36 language would be way too restrictive, noting there was only one species of rhododendron
37 that was native. Anderson noted the code currently prevents the planting of noxious
38 weeds.

39
40 Anderson wanted more specificity for “as soon as practical.” Commissioners agreed and
41 Peterson indicated he would speak to Reed about this specificity.

42
43 **H.1.10:** Danos did not want to allow for “disposed spoil material.” Dickinson interpreted
44 this language to mean that this was for soil and materials dug up and places to the side,
45 not to construction material. Danos was fine with the language as long as it did not include
46 constructions materials.

1 **J.2:** Anderson stated she interpreted the language to mean that if a house burned down in
2 an area that was not meant to be built on, they could rebuild. Peterson stated that a
3 geohazard report would be needed to ascertain whether it could be built. Danos and
4 Anderson did not think such rebuilding should be allowed. Peterson stated that this
5 language could be for some property rights protection. He indicated he would speak with
6 Reed to determine the point of this language.

7
8 9.52.100 Older Stabilized Dune Construction Standards

9 **A.** Dickinson noted a reference to the Planning Commission. The Commission agreed this
10 body should be the City, to read, "The City shall require..."

11
12 Additional Notes

13 **9.52.050.D.7:** "the decision maker" should be the City.

14
15 Commissioners agreed that the authority should be "the City" throughout the code.

16
17 **9.52.090.G:** Danos suggested that "may require" be "require." Commissioners discussed
18 this issue and interpreted that this language is giving the authority to the City to make the
19 decision. Peterson added that there were state regulations around this as well.
20 Commissioners agreed a change here was not necessary.

21
22 **VII. Old Business**

23 **A. Parking Counts**

24 Anderson explained she had created a to scale map of parking with an understanding that
25 it would be easier to walk the roads to see if the map was correct rather than to create the
26 map. She wanted to finalized what they were going to be counting.

27 Commissioners discussed and agreed to:

- 28 • Driveway clearance of 5 feet
- 29 • Adherence clear sight (noting a car hood can be under 3 feet)
- 30 • Identify additional on-street parking
- 31 • Identify location of fire hydrants
- 32 • Identify handicap spaces
- 33 • Use standard parking space sizes

34
35 Commissioners agreed that Anderson could create a page of standards and assign streets
36 for each Commissioner to walk.

37
38 **VIII. Planner's Report**

39 Peterson reported he will submit documentation for purposes of the grant and the
40 Commission could make additional changes.

41
42 Peterson indicated he would be working onsite with the new City Planner during the first
43 part of August and thereafter he would be available as needed. Danos clarified that
44 Peterson would be finalizing the transportation growth management grant.

45
46 Danos thanked Peterson for his Planner's Report. Peterson indicated he would work with
47 the new Planner on getting updates.

1 **IX. Other Business**

2 **A. From the Commission**

3 Dickinson stated he thought the zoom meetings were being very productive and thanked
4 everyone for being so focused during this pandemic.

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6 **B. From Staff - none**

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8 Anderson adjourned the meeting at 4:50 pm.
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13 _____
14 Helen Anderson, Chair

Date

15 Minutes prepared by H H Anderson on August 10, 2020.