

1. 2:00 P.M. Agenda

Documents:

[2025-02-18 Planning Commission WS And Regular Agenda1.Pdf](#)

2. Meeting Material

Documents:

[Roles - Responsibilities.pdf](#)
[2025-01-21Planning Summary Minute.pdf](#)
[Hedlund Application_Redacted.pdf](#)
[Hedlund Site Plan.pdf](#)
[Hedlund Staff Report \(1\).Pdf](#)
[Planning Commission Issues List.pdf](#)

3. Additional Documents Added After Meeting

Documents:

[Building Activity 2-15-25.Pdf](#)
[Paul - Goal Handouts.pdf](#)



**CITY OF YACHATS
PLANNING COMMISSION WORK SESSION**

Tuesday, February 18, 2025, at 2:00 pm
To Be Held Via Zoom & In Person Located at:
Commons Bldg., Civic Meeting Room 1
441 Hwy 101 N., Yachats OR 97498

Join Zoom Meeting

<https://us02web.zoom.us/j/82730920856>

Meeting ID: 827 3092 0856

Work Session

- I. Meeting called to order
- II. City Manager Bobbi Price will give a presentation of city organization, with chart showing how decision making flows
- III. She'll answer specific questions about communications between commission and city
- IV. Other questions from commissioners
- V. Announcements

Regular Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/82730920856>

Meeting ID: 827 3092 0856

- I. Meeting Called to Order
- II. Announcements and Correspondence
- III. Citizens' Concerns (limited to items not on the agenda, 5-minute limitation per person)
- IV. Public Hearings
Case File #1-CU-PC-25 Hedlund Home Occupation
- V. Ongoing Business
a. FEMA Model Code Update
- VI. New Business
a. Volunteer needed - Board of Directors of Habitat for Humanity
b. Potential Land Bank Opportunity
- VII. Reports

This meeting is open to the public and all interested persons are invited to attend the ZOOM Meetings. 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 before the meeting. The minutes of this meeting are the Audio Tape which will added to the packet after the meeting within 48 hours. Per ORS 192.630, the 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; 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 02/11/2025 By: Kimmie Jackson, City Recorder

- a. Commission Chairs' Meeting
 - b. Planner's Report
 - c. Meeting Summary
 - d. Issues List
- VIII. Other Business
- a. From Commission
 - b. From Staff

This meeting is open to the public and all interested persons are invited to attend the ZOOM Meetings. 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 before the meeting. The minutes of this meeting are the Audio Tape which will added to the packet after the meeting within 48 hours. Per ORS 192.630, the 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; 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 02/11/2025 By: Kimmie Jackson, City Recorder



LOCAL GOVERNMENT

ORGANIZATIONAL CHART

CITY OF YACHATS

CITY COUNCIL

City Manager



Planner

Public Works

Library

Rec/Commons

Admin: Recording,
bookkeeping, utility
billing, city clerk,
admin assistant

Work groups

Planning
Commission

Public Works
& Streets
Commission

Library
Commission

Parks &
Commons
Commission

Budget
Committee

Finance
Committee

Emergency
Preparedness
Committee

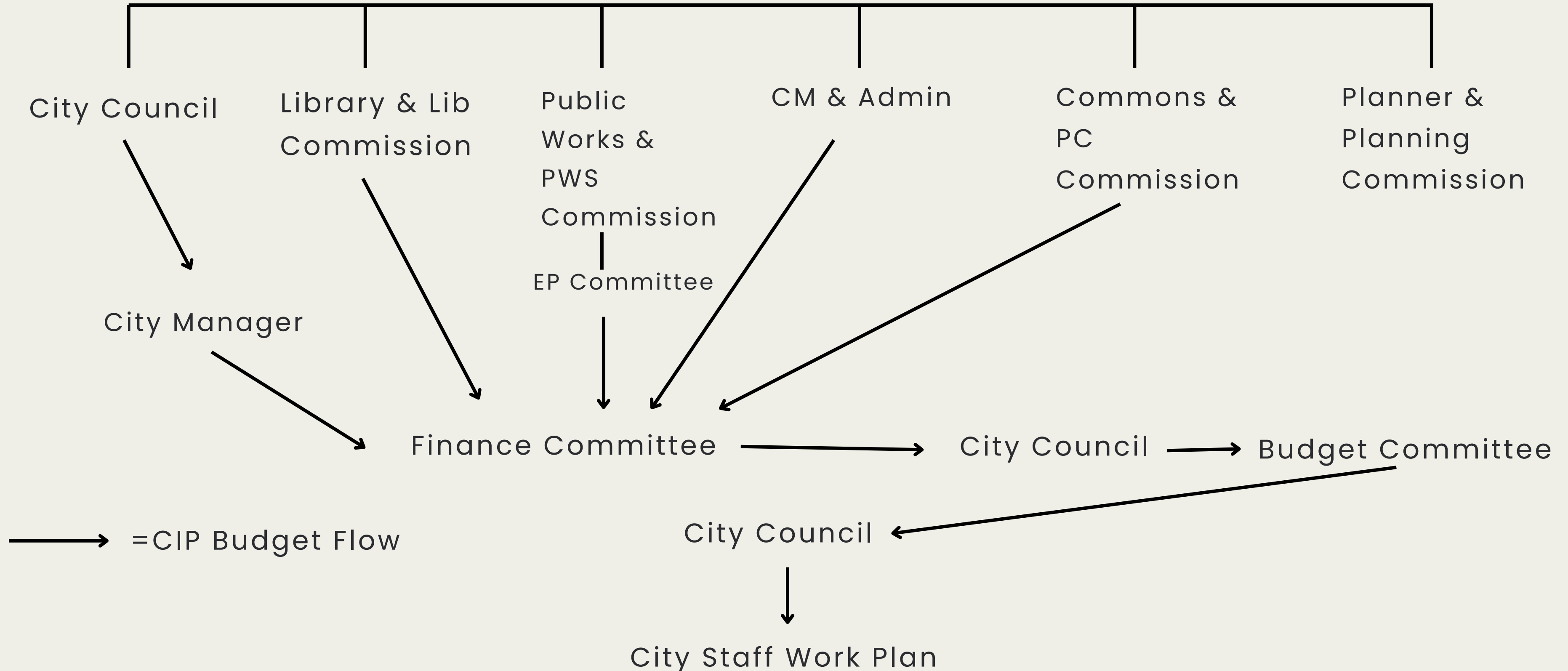


ROLES & RESPONSIBILTIES

CITY COUNCIL	• The governing body for the City of Yachats • City Council reviews and votes on recommendations on policy and items given to them by the Planning Commission through the City Manager and City Planner
City Manager	• The City Manager, along with the City Planner, will prepare meeting materials to present items from the Planning Commission to the City Council • The City Manager puts the City Councils goals into a work plan for all city departments • The City Manager is in charge of City Administration and City Staff; all staff requests go through the City Manager.
City Planner	• The City Planner will work with the Chair & Vice-Chair to set the monthly agenda • Link all documentation into the agenda for the City Recorder to post in the agenda center on the City website • Prepare a monthly building activity and planners report to the monthly meeting, attached to the agenda • Prepare land use, variances and conditional use applications for the Planning Commission to review and vote on
City Recorder	• Send the City Planner, Chair & Vice-Chair the meeting agenda at the beginning of the month • Ensure all Planning Commission members have a calendar invite to the public meeting • Ensure all Planning Commission meetings are posted on the City website calendar • Post all meeting materials to the Agenda Center <u>one week</u> before the meeting date, unless provided with public testimony for public hearings. Those will be added when received. • Have meeting materials printed for the Planning Commission meeting • Record the Planning Commission meeting • Provide minutes from the recording of the Planning Commission meeting to be posted online
Planning Commission	• Review & Recommend: amendments to land use regulations, zoning codes, and comprehensive plans • Make Decisions: on land use applications, such as conditional use permits and variances • Make Recommendations: policy changes to the city council • Serve as a Community advisory group: support long-range planning projects and policy discussions • Be aware and knowledgeable of all meeting materials and dates; sign up for Notify me

BUDGET FLOW

The city budget process starts with the City Council, Departments, & Commissions setting goals and making CIP & Budget requests and ends with the City Staff's annual work plan.





CITY OF YACHATS
PLANNING WORK SESSION & REGULAR COMMISSION
SUMMARY MINUTES OF JANUARY 21, 2025

The regular meeting of the Planning Commission was called to order by Chair Marc Sakamoto at 2:00 p.m. in the Civic Meeting Room of the Yachats Commons. Members present: Loren Dickinson, Mary Aebi, Craig Hogan, Jim Paul, Tod Davies, and Jolene Gosselin. Staff: Katherine Guenther, Planner and Recorder Kimmie Jackson.

Audience: 7

WORK SESSION

Hui Rodomsky, Regional Representative from DLCD gave a training presentation which included providing members with essential information and tools necessary for their responsibilities within the commission. Emphasis was placed on the significance of continuous learning and development in their roles. Various topics relevant to the members' duties were discussed, including recent legislative changes, community engagement strategies, and effective communication techniques. The training fostered a collaborative environment, encouraging members to learn from one another's experiences.

Members recognized the importance of ongoing education and agreed to seek additional training opportunities in the future. Overall, the session was productive and served as a foundation for future training initiatives. Members left with a clearer understanding of their roles and the tools necessary to drive community-focused efforts effectively.

REGULAR MEETING

I. Announcement & Correspondence

- a. None

II. Citizens Concerns

- a. None

III. Public Hearing

- a. None

IV. Ongoing Business

- a. None

V. New Business

- a. State of the City Questions discussion to formulate a short presentation for the State of the City Event. Members discussed the major accomplishments for 2024, highlighting Title 9 and the number of public hearings conducted. The members consensus was emphasizing the beginning of discussions on the amendments to the accessory dwelling unit (ADU) ordinance and the comprehensive plan. members have engaged in training and continuing education initiatives. It was also mentioned that contributions to the newsletter are expected to commence in 2025.

The group reached a consensus to outline the accomplishments of 2024 while also planning to extend efforts into 2025. This includes specific references to the Cascadia Partners and ongoing discussions regarding Accessory Dwelling Units (ADUs) and the comprehensive plan. Members agreed to hold at least one public meeting with the Cascadia Partners in the upcoming year. Kimmie assured the group that she would compile the information discussed for the upcoming meeting and emphasized that members should direct any questions about the content to the appropriate contributors. The meeting concluded with no further items for discussion. Goals for 2025 will continue discussions regarding the ADU and comprehensive plan; and members expressed the hope of having further meetings with Cascadia Partners.

VI. Reports

- a. Commission Chair Meeting: The Commission Chair's report highlighted recent Accomplishments; successful completion of impactful projects, showcasing member dedication; enhanced outreach efforts and emphasized the importance of community feedback; set strategic

goals for the coming year, focusing on service improvements and new training opportunities for members; addressed ongoing challenges and outlined strategies for overcoming them, emphasizing transparency and collaboration. The report reinforced our commitment to community service and outlined clear objectives for the future.

- b. There is no formal Planners Report this month.
- c. Meeting summary: Attendees appreciated the clear structure and key points captured; positive feedback on the clarity of assigned action items. General agreement on the summary's effectiveness in fostering communication. Overall, the comments reflect an appreciation for the summary's role in promoting transparency and accountability.
- d. Issues List is attached to the online packet for status of projects and issues pertaining to the Planning.

VII. Other Business

- a. Next Steps
 - Commissioner Aebi to think about potential topics for the next city newsletter article about the Planning Commission.
 - Planner Guenther to provide the number of public hearings held in 2024 for the State of the City meeting; set up a chat with Rachel from Cascadia Partners to discuss the Planning Commission's questions; share the Cascadia Partners timeline with the Planning Commission members.
 - City Manager Price to invite the fire department to present information about defensible space at the February 3rd meeting.
 - Catherine to work with Neil to create a folder with Cascadia Partners documentation and add links to referenced documents.
 - All Planning Commission members consider topics for future work sessions and communicate them to the Chair, Vice-Chair and Recorder Jackson.

The meeting adjourned at 3:14 pm.

By: Kimmie Jackson, Recorder

Land Use Application

City of Yachats
441 Hwy 101 N
PO Box 345
Yachats OR 97498
(541) 547-3565

Fee: \$250

Date Received: 1/28/25

KLG

☒ Conditional Use \$250 ☐ Nonconforming Use \$250 ☐ Variance \$250
☐ Zone Change \$500 ☐ Comprehensive Plan Change \$500
☐ Urban Growth Boundary Change \$1000
(Actual expenses in excess of the application fee will be billed.)

Applicant: Nicole Hedlund Phone: (503) 777-1501
Address: 443 E 3rd St PO Box 194
City: Yachats State: OR Zip: 97498
Relationship to property: family member of owner and tenant
(Owner, Contract Purchaser, etc.)

Legal Description: 14-12-26-CB-1401 Current Zone: R1

Lot Dimensions: 100' x 100' Area: _____ Flood Zone: NA

Natural Hazard: NA Topography: _____

Directions to Property: _____

Previous Planning Actions on Property: _____

Reason for Request: Conduct occupation in home

Existing Structures on Property: _____

Proposed Use and Structures: _____

Current Utilities and Providers: City of Yachats, Pioneer Communications
Central Lincoln Utilities

Anticipated Date of Development: March 1, 2025

Land Use Application

Supplemental Required Information

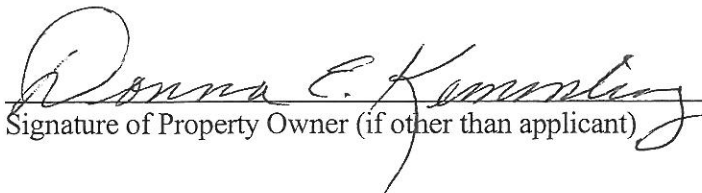
Attachments to Application (check all that apply)

- ☒ Plot Plan of subject property showing all property lines
- ☒ Existing and proposed structures and their location in relationship to property lines
- ☐ Total floor area, use and height of all existing and proposed uses
- ☐ Operating characteristics of all proposed commercial use
- ☐ Location, extent, arrangement, and proposed improvements of all off-street parking and loading facilities.
- ☐ Location of access to adjacent arterial or collector
- ☐ State or County Road Approach Permit
- ☒ Narrative which address applicable ordinance standards (required for all land use actions)
- ☐ Other: _____

I have read the above application and hereby certify all information contained therein to be true and complete to the best of my ability. I understand that this application will not be processed until all required information is submitted to the City.



Signature of Applicant



Signature of Property Owner (if other than applicant)

Onsite Home Business Narrative

443 E 3rd St

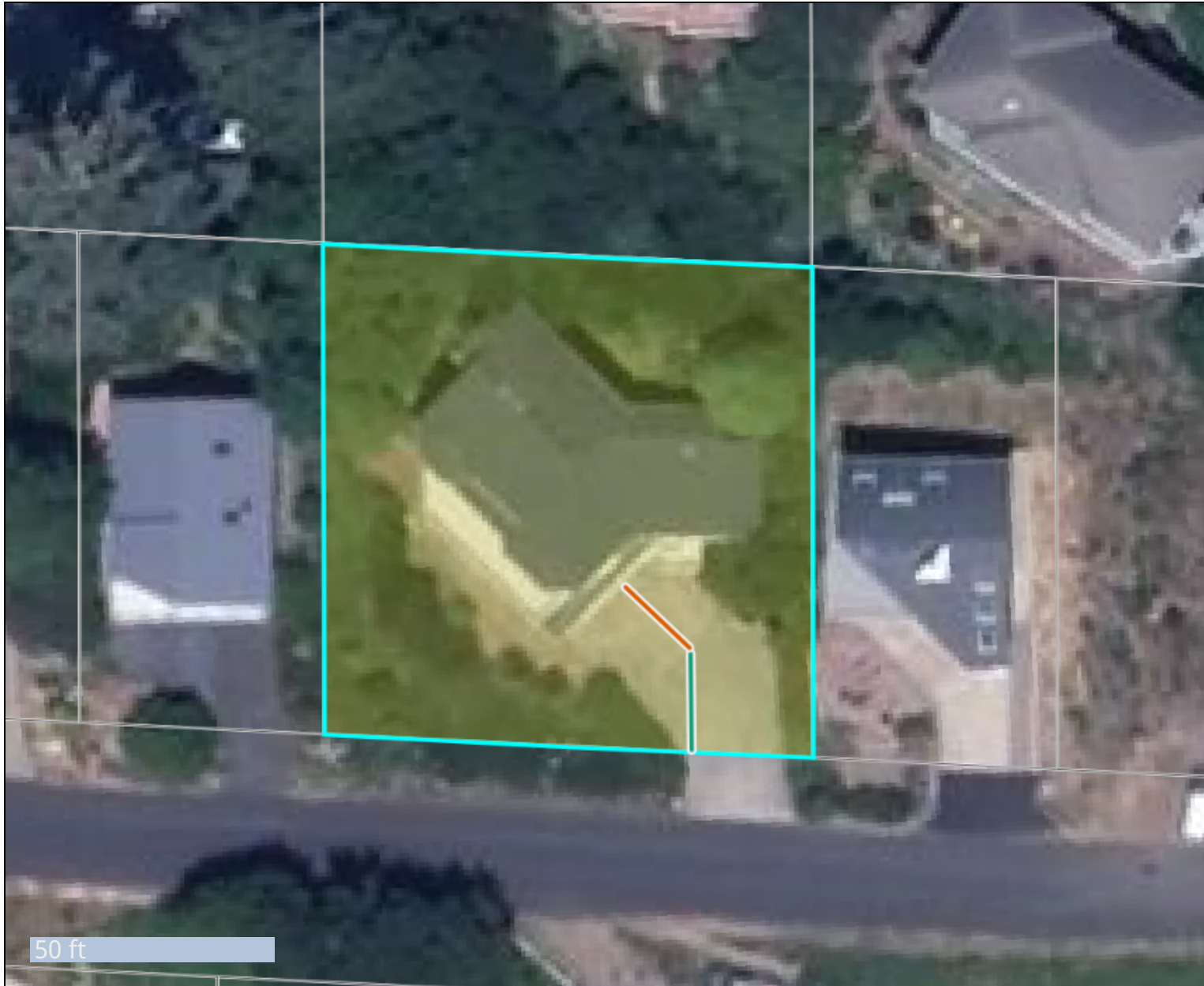
Yachats

Nicole Hedlund

January 28, 2025

I am a Chinese Medicine practitioner specializing in body work and nutrition. I see one client at a time with approximately 30 minutes in between appointments. I generally work 8:30am to 5:30 pm with rare exceptions going later in the evening. The driving force behind moving from a shared space into my own space is for flexibility of schedule. Therefore, I plan on scheduling people 7 days a week. From day to day, I may schedule anywhere from 0 appointments to 5, depending on my schedule and needs of the client. I plan on having one sign approximately 2' X 2' at the end of the driveway with the name of my business, Branch and Root Holistic Health, and the house number, 443.

443 East Third Street - Site Plan



Legend

Lot Size = 100'x100'

Setbacks:

Front = 22'

Rear = 10'

East = 10'

West = 20'

Red line = 18'

Green line = 20'

Printed on 2/1/2025

Tax Lot Data For Assessment Purposes Only

Lincoln County Government Use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users should review the primary information sources to ascertain their usability.



CASE FILE: #1-CU-PC-25
DATE FILED: January 28, 2025
DATE APPLICATION DEEMED COMPLETE: January 28, 2025
HEARING DATE: February 18, 2025
PREVIOUS ACTION: None

STAFF REPORT
Conditional Use Application

APPLICANT: Nicole Hedlund

A. REPORT OF FACTS

1. **Property Location:** The subject property is located at 443 East 3rd Street and described on the Lincoln County Assessor's Map 14-12-26-CB as Tax Lot 1401.
2. **Applicant's Request:** The applicant is requesting a conditional use permit for a Home Occupation. The proposed use is a massage therapy practice secondary to the main use of the residence.
3. **Zoning:** R-1 Residential Zone
4. **Plan Designation:** Residential
5. **Lot Size and Dimensions:** The subject property totals 0.23 acres or 10,000 square feet. The lot dimensions are 100' x 100'.
6. **Surrounding Land Use:** Surrounding land uses consist of single-family residences.
7. **Utilities:**
Water & Sewer: City of Yachats
Electricity: Central Lincoln PUD
8. **Development Constraints:** None

B. EVALUATION OF REQUEST

1. **Applicant's Proposal:** The applicant submitted the required application form and fee.
2. **Relevant Yachats Municipal Code (YMC) Criteria:**

YMC Section 9.04.030 Definitions

"Home occupation" means a business, profession or other economic activity conducted full or part-time in the principal residence and/or accessory structure of the person conducting the business.

“Parking Space, Off-street” means a parking space located outside of a public right of way, the numbers and dimensions of which are as required by Chapter 9.48 of YMC. Off-street parking spaces shall have allweather surfaces such as gravel, pavement, tile, brick, or concrete suitable for parking a vehicle.

YMC Section 9.12.030 R-1 Residential Zone

In an R-1 zone the following uses and their accessory uses may be permitted subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72 where applicable:

- A. Governmental structure or use of land; and public utility facility;
- B. Home occupation;
- C. Temporary real estate office offering residential property in the immediate vicinity for sale;
- D. Private boat dock;
- E. Bed and breakfast facility.

YMC Section 9.48.010 General requirements – Off-street Parking and Loading

Refer to Chapter [9.04.030](#) Definitions for the definition of “Parking, off street.” At the time a structure is erected or enlarged or the use of an existing structure is changed, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless: (1) greater requirements are otherwise established; or (2) approved planned unit developments (PUDs) provide other parameters.

- A. Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Planner, based upon the requirements of comparable uses listed.
- B. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.
- C. Owners of two (2) or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases or contracts to establish joint use.
- D. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Parking spaces for non-residential uses shall be located not farther than five hundred (500) feet from the building or use they are required to serve, measured in a straight line from the building.
- E. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- F. Areas used for parking and maneuvering of vehicles shall have surfaces such as gravel, pavement, tile, brick or concrete material suitable for parking a vehicle, improved to minimum City road standards, maintained adequately for all-weather use, and be so drained as to avoid flow of water across public sidewalks.
- G. Except for parking to serve dwelling uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of

residents by the erection between the uses of a sight-obscuring fence of not less than five (5) feet in height where vision clearance is required.

H. Perpendicular or diagonal parking spaces for commercial uses that are located along the outer boundaries of a lot shall be contained by a curb or bumper rail at least four (4) inches high and set back a minimum of four and one-half (4.5) feet from the property line.

I. Any lights provided to illuminate any public or private parking area or sales area shall be arranged so as to reflect the light away from any abutting or adjacent residential zone.

J. Groups of more than four (4) parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street, other than an alley, will be required.

K. Loading of Merchandise, Materials or Supplies. Buildings or structures which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this title may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.

L. Off-Street Parking Space Requirements.

1. Residential Dwellings. Residential dwellings shall provide the following off-street parking spaces:

One-family dwelling, two (2) spaces;

Two-family dwelling, four (4) spaces;

Three-family dwelling, five (5) spaces;

Four-family dwelling, six (6) spaces;

Each additional unit, one and one-half space (rounded-up to the nearest whole number).

2. Manufactured dwelling park: two (2) spaces for each manufactured dwelling space.

3. Motel, hotel, inn or resort: one (1) space per guest room; hostels: one-half (1/2) space per bed

4. Nursing home or similar institution: one space for each three (3) beds.

5. Church, club or similar place of assembly: one space for each four (4) seats, or one space for each twenty-five (25) square feet of floor area used for assembly.

6. Library: one space for each one hundred (100) square feet of floor area.

7. Dance hall, skating rink, or similar commercial amusement enterprise: one space for each seventy (70) square feet of floor area.

8. Bowling alley: six (6) spaces for each alley.

9. Retail store: one space for each two hundred (200) square feet of floor area.

10. Service or repair shop, retail store handling bulky merchandise such as automobiles and furniture: one space for each six hundred (600) square feet of floor area.

11. Bank, office: one space for each three hundred (300) square feet of floor area.

12. Medical and dental clinic: one space for each two hundred (200) square feet of floor area.

13. Eating and drinking establishments: one space for each one hundred (100) square feet of total floor area.

14. Light industrial: one space for each six hundred (600) square feet of total floor area.

YMC Chapter 9.72 Conditional Uses

Section 9.72.010 Authorization to grant or deny conditional use permits.

Conditional uses listed in this title may be permitted, enlarged, altered or denied by the

Planning Commission in accordance with the standards and procedures set forth in this chapter.

- A. In taking action on a conditional use permit application, the Planning Commission may either permit or deny the application. The Planning Commission's action must be based on findings addressing the requirements of the comprehensive plan and zoning ordinance, as addressed in Chapter 9.88.
- B. Prior to taking action on a conditional use permit application, the Planning Commission shall consider whether the proposed use complies with the following general standards and criteria:
 - 1. The proposed use conforms with the Yachats Comprehensive Plan.
 - 2. The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
 - 3. The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.
 - 4. The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.
 - 5. Public services for water, sanitary and storm sewer, water management, and for fire and police protection, can serve the proposed use.
 - 6. The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, or hours of operation. (b) Privacy and safety issues.
 - 7. The proposal complies with all applicable provisions of the Yachats Municipal Code, or where the applicant has identified where the proposal does not comply, the applicant has obtained a Variance for such in accordance with Chapter 9.80 of this Code.
 - 8. Activities and developments within special purpose districts must comply with the regulations described in Section 9.52.050 (Geologic Hazard), Chapter 9.36 (Estuary Natural), and Section 9.54 (Flood Hazard), as applicable.
- C. In permitting a conditional use or the modification of a conditional use, other than a manufactured dwelling, manufactured dwelling park or multifamily dwelling, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this title, additional conditions which are considered necessary to protect the best interests of the surrounding City as a whole. These conditions may include, but are not limited to, the following:

1. Increasing the required lot size or yard dimensions;
 2. Limiting the height of buildings;
 3. Controlling the location and number of vehicle access points;
 4. Increasing the street width;
 5. Increasing the number of required off-street parking spaces;
 6. Limiting the number, size, location and lighting of signs;
 7. Requiring fencing, screening, landscaping, walls, drainage or other facilities to protect adjacent or nearby property;
 8. Designating sites for open space;
 9. Setting a time limit for which the conditional use is approved;
 10. Regulation of noise, vibration, odors and sightliness;
 11. Requiring surfacing of parking areas;
 12. Regulation of hours of operation and duration of use or operation;
 13. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purpose of the Yachats comprehensive plan;
 14. If at any time the standards or requirements for conditional use approval are not followed, a zoning violation will be considered to exist.
- D. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use or a nonconforming use, a change in use or in lot area or an alteration of structure shall conform with the requirements for conditional use.
- E. The Planning Commission may require that the applicant for a conditional use furnish the City with a performance bond of up to the value of the cost of the improvement to be guaranteed by such bond, in order to assure that the conditional use is completed according to the plans as approved by the Planning Commission.

Section 9.72.020 Procedure for Taking Action on a Conditional Use Application

- A. A property owner, contract purchaser, etc. may initiate a request for a Conditional Use by filing an application with the City Recorder.
- B. The application shall consist of a completed Conditional Use application form signed by the property owner and contract purchaser or agent, if applicable, and a Basic or Detailed Site Plan, as specified below.
- C. Application for approval of the following uses permitted by Conditional Use shall include the submittal of a Basic Site Plan:

1. Home Occupation
2. Temporary Real Estate Office
3. Bed and Breakfast Facility
4. Residential Facility
5. Private Boat Dock
- D. Basic Site Plan – Two dimensional plan accurately drawn, clear, measurable, and fully dimensioned, showing the following information:
 1. Written scale, graphic scale, and north arrow.
 2. Property boundaries with dimensions of each boundary.
 3. Building setbacks to property lines.
 4. Required off-street parking spaces and space dimensions.
 5. Required yards, including streetside setback, if applicable.
 6. Driveway and point(s) of ingress and egress.
 7. Existing fences, walls, and hedges at property boundaries.
 8. All zoning tabulations.
- E. Not Applicable
- F. Not Applicable
- G. Not Applicable
- H. Not Applicable
- I. Not Applicable

Section 9.72.050 Standards and procedures governing conditional uses.

In addition to the standards of the zone in which the conditional use is located and the other standards of this title, conditional uses shall meet the following standards:

- A. Special Setback Requirements (Not Applicable)
- B. Standards for Public Utility Facilities (Not Applicable)
- C. Standards for a Home Occupation.
 1. The home occupation shall be secondary to the main use of the property as a residence.
 2. No structural alteration, including the provision of an additional entrance, shall be permitted to accommodate the home occupation except when otherwise required by law. Such structural alteration shall not detract from the outward appearance of the property as a residential use.
 3. No persons other than those residing in the dwelling are to be engaged in the home occupation unless authorized by the Planning Commission through a conditional use permit.
 4. No window display and no sample commodities displayed outside the building shall be allowed. One unlighted sign not exceeding one and one-half square feet in area shall be permitted. The sign shall either be attached to the exterior of the building, or, if detached from the building, shall not be located in a required front or street side yard.

5. No materials or mechanical equipment shall be used which is detrimental to the residential use of the dwelling or adjoining dwellings because of vibration, noise, dust, smoke, odor, hazardous or toxic chemicals, interference with radio or television reception, or other factors.
 6. No materials or commodities shall be delivered to or from the residence which are of such bulk or quantity as to create undesirable traffic or congestion.
 7. No parking of vehicles in a manner or frequency so as to cause disturbance or inconvenience to nearby residents shall be allowed.
 8. A valid business license from the City shall be required.
 9. If the applicant certifies in writing that the home occupation meets all of the above standards, the City Planner or designee may authorize the licensing of the home occupation and waive the conditional use permit requirement. Such license shall be subject to annual review.
- D. Standards for Bed and Breakfast Facilities (Not Applicable)
- E. Standards for Formula Businesses (Not Applicable)
- F. Standards for Light Industrial (Not Applicable)

3. **Public Testimony Received:** At the time this staff report was prepared, the City had received no written testimony.

C. STAFF ANALYSIS

1. The Request and the R-1 Residential Zone

YMC Section 9.72.050 provides the following standards for a home occupation in the R-1 Residential Zone:

- 1) The home occupation shall be secondary to the main use of the property as a residence.
Staff Response: The home occupation will be conducted in an existing space in the residence. The home occupation shall be secondary to the main use of the property as a residence.
- 2) No structural alteration, including the provision of an additional entrance, shall be permitted to accommodate the home occupation except when otherwise required by law. Such structural alteration shall not detract from the outward appearance of the property as a residential use.
Staff Response: No structural alterations will be made to accommodate the home occupation.
- 3) No persons other than those residing in the dwelling are to be engaged in the home occupation unless authorized by the Planning Commission through a conditional use

permit.

Staff Response: *Nicole Hedlund will be the only person engaged in the home occupation.*

- 4) No window display and no sample commodities displayed outside the building shall be allowed. One unlighted sign not exceeding one and one-half square feet in area shall be permitted. The sign shall either be attached to the exterior of the building, or, if detached from the building, shall not be located in a required front or street side yard.

Applicant's Response: *I plan on having one sign approximately 2' X 2' at the end of the driveway with the name of my business, Branch and Root Holistic Health, and the house number, 443.*

Staff Response: *The proposed sign exceeds the maximum size allowed. The size of the sign should be reduced to one and one-half square feet in area.*

- 5) No materials or mechanical equipment shall be used which is detrimental to the residential use of the dwelling or adjoining dwellings because of vibration, noise, dust, smoke, odor, hazardous or toxic chemicals, interference with radio or television reception, or other factors.

Staff Response: *Verify with applicant*

- 6) No materials or commodities shall be delivered to or from the residence which are of such bulk or quantity as to create undesirable traffic or congestion.

Staff Response: *Verify with applicant*

- 7) No parking of vehicles in a manner or frequency so as to cause disturbance or inconvenience to nearby residents shall be allowed.

Applicant's Response: *I see one client at a time with approximately 30 minutes in between appointments.*

Staff Response: *The YMC does not specify the number of off-street parking spaces required for the proposed use, but the applicant's narrative suggests that one additional off-street parking space should be sufficient. The home has an oversized (571 sq ft) attached garage which satisfies the requirement for the two spaces for the residence. In 2024, the YMC definition of "Parking Space, Off-street" was changed and the restriction on required parking in a street-side yard was deleted. In this case, however, at least one parking space could be located in the driveway without intruding into the required front yard setback. See attached site plan.*

- 8) A valid business license from the City shall be required.

Staff Response: *Obtaining a valid business license from the City should be a condition of approval.*

- 9) If the applicant certifies in writing that the home occupation meets all of the above standards, the City Planner or designee may authorize the licensing of the home occupation and waive the conditional use permit requirement. Such license shall be subject to annual review.

2. The Request and Conditional Uses

In taking action on a conditional use permit application, the Planning Commission may either permit or deny the application. The Planning Commission's action must be based on findings addressing the requirements of the comprehensive plan and zoning ordinance. Prior to taking action on a conditional use permit application, the Planning Commission should consider the criteria of YMC 9.72.010(B) (See above).

D. CONCLUSIONS

If the request is denied, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings for adoption at the next meeting. If the request is approved, the Planning Commission should state any conditions of approval. Staff recommends that reducing the size of the proposed sign and obtaining a valid business license from the City be conditions of approval.

Submitted by,

Katherine Guenther
City Planner

PLANNING COMMISSION ISSUES LIST as of 01/21/25

Item #	Description	Assigned	Due Date	Status
1	Schedule next training session	KG		01/21/25: Completed training with Hui. Do we need another to elaborate on topics discussed? 12/17: KG to meet with Hui R. about training on commission roles, staff relations, meeting practices. 03/12: KG to talk to Hui about guidance on best practices to update Comp Plan. 02/23: Coordinate with Hui on next topic(s) and date.
2	Complete Wetland Inventory	KG		11/19: BP and KG met with DSL week of 11/11. No additional info required. No completion date given. 10/28: BP and KG met with DSL and Pacific Habitat to answer questions about inventory. All questions answered. 10/08: State Lands reviewing some minor discrepancies. 09/16: City Mgr. has contact in state govt and is escalating. 08/19: Mayor using state contact to escalate. 05/21: KG contacted by State Lands. We are next in line for review. 04/16: KG sent email to State for update. 04/09: No update. 03/12: No update from ODSD. Link to State Lands Inventory to be added to links page. 02/23: Pending response from ODSD.

5	Amend Title 9 for Housing Implementation Plan			01/02/25: KG to reach out to Rachel at Cascadia with final version.12/27: Draft questions forwarded to Yachats PM for review. 12/10: Creating questions for CP to review. 11/18: Had kickoff meeting. See meeting minutes. 10/15: Selected MS and MA for PMT. City conducting workforce housing survey. Will provide results. 10/08: Reviewed Statement of Work. Discussed various aspects of how project will proceed. Will discuss members of PMT at next meeting. 06/11: Cascadia Partners to start in the fall. 05/21: Will start review of Plan for new commissioner in 06/11 meeting. 05/14: Funding for implementaion approved by state. Waiting to see review scope of work document from Cascadia Partners. Will review plan with PC. 03/12: Waiting to see if 2024 State budget contains money to fund another round of grants. KG to check if what other communities. 02/23: Determine if there will be a next round of DLCD funding. Contact Cascadia Partners to get estimate of cost of hiring them to complete task. have made changes for HIP.
6	Revise/update City Comprehensive Plan			11/18: Identified Goal G as one to focus on. Cascadia Partners offered assistance of their urban planner. Developing questions to as them. Located proposed updates in Housing Plan appendix. 10/08: Identified Goals that may need updating. 09/17: Will start review of plan with next work session. 03/12: PC to wait on #1, #5 or #8 before proceeding. 02/23: Commissioners to review existing and prioritize which section(s) to work on.
7	Update application fees	KG		10/28: Review completed. to present new fees to City Council in Nov. 10/08: City Mgr reports continued progress on review. 09/17: City Mgr review almost complete. 06/11: Now part of general review of all city fees. 03/12: Bobbie committed to meet with KG soon. 02/23: KG to meet with Bobbi to set fees.

8	Ordinance for ADU's			11/18: Discussed with Cascadia Partners in kickoff meeting. They will emphasize this in their updates to regs. 09/17: Discussed definition of ADU. Will defer until Cascadia Partners. 08/20: Have agreement with most major policy decisions. Will continue at next meeting. 07/09: Began review of various approaches to regulation. If time permits, will continue review 07/16. 06/11: Commissioners to research documentation and laws in other cities. To discuss in 07/09 meeting. 05/14: On hold to see if can be included with HIP. Collecting information from various sources. 04/09: Present concept in public forum prior to writing ordinance. 03/12: KG to look at getting copies of Waldport ordinance as well as relevant parking ordinances.
11	Consolidate minor updates to ordinances			06/11: On hold until after completion of #4. 04/16: Minor error in Fences and Hedges standard pointed up need to identify and consolidate into one list other minor changes/corrections to ordinances. KG to retrieve existing list for review.

12	Content for city social media			01/14/25: Content reviewed by commission and submitted to BP for 02/25 newsletter. 12/10: Needs content to create article. MS to provide. 10/22: Sent email to TD asking if interested in writing for e-newsletter. 10/08: Need to identify resource on commission to provide content.
13	Include updates to Title 9 in city document			11/19: Followup to make sure that changes approved by City Council are added in writing to Title 9.
14	Create Folder for Cascadia Partners Document	KG		12/10: KG to talk to Neal about organization of documents. 11/19: KG to create folder on website to store all documents.
15	Update mobile home regulations			12/10: Needs review to update to current state law.

CLOSED PLANNING COMMISSION ISSUES				
9	Add to Urban Growth Boundary			4/09: State passed legislation allowing for increase of UGB up to 50 acres with reduced requirements. Should city pursue? With no expressed need to expand, decided not to pursue. CLOSED
10	Credit at COG			05/14: With state funding for HIP and money in budget from planning consultation, will not need COG. CLOSED. 04/09: City has credit at COG for possible consultant. Could we use for HIP? Bobbi to look into this. May not be that straightforward.
3	Continue Implementation of Yachats Parking Mgmt Plan	LD		10/08: Public Works reports that all projects in plan that can be completed have been completed. Closed. 06/11: Continuing to make progress on various projects. 05/14: Public works to provide city with update. 04/16: LD to meet with Public Works tomorrow for update. 03/19: LD sent email and will meet with Public Works to discuss. 03/12: Public Works will probably implement portions of the plan at a time. LD to meet with Public Works to discuss next steps.
4	Obtain City Council approval of updates to Title 9			11/20: Approved unanimously by City Council. Closed. 10/26: 1st public hearing with City Council held. No major issues. Second public hearing in Nov. 10/08: On schedule to present at next City Council meeting on 10/23. 09/12: Update from KG that with delay of review by DLCD and internal issues may not make City Council agenda until Nov. 06/11: Reviewed and approved changes to building height calculation. KG to send update to DLCD with approved changes. 5/21: Final draft approved by commission. KG to advise DLCD of changes. 05/14: At DLCD for review. Completed review of draft with PC today. Final review 05/21. Postponed public meeting to 07/16. 04/09: Waiting on marked up version. Review in 05/14 Work Session. Present in public meeting 06/18. 03/12: PC members to review and familiarize themselves with content. Need review schedule added to application. KG to put out marked up version. 02/23: Need review by DLCD.

City of Yachats Building Activity
January 1 - February 15, 2025

Project Name	Description	Parcel #	Address	Zone	Opened	Status
KAHN	New SFD	14-12-26-BC-7400	100 Gimlet Lane	R1	11/2/23	Permit Extended
TAYLOR	Accessory Structure	14-12-27-DA-10601	160 West 2nd Street	C1	1/10/25	In Review (CoY)
DUEA	Garage Conversion	14-12-27-AC-6100	566 Ocean View Drive	R1	1/29/25	In Review (CoY)
DE LEON	New SFD	14-12-34-AA-200	TBD Highway 101S	R1	1/29/25	In Review (CoY)
MOORE	Addition to SFD	14-12-26-CB-2200	337 East 2nd Street	R1	2/5/25	In Review (CoY)

In some ways, it is easier for the City Council to establish objectives than it is a commission as council goals are somewhat broader. I will note that objectives are also "interactive" in that after they are set, we rely on Commissions for specific actions in completing the objectives

To establish objectives we consider the following:

- Review of Citizen Satisfaction Survey
- Any objectives provided by Commissions
- Review of Master Plans
- Review of previous years unmet objectives
- Councilors hopes and concerns
- City Staff input

We put all that together, look for common themes and discuss what we (city staff mostly) can actually get done.

We have started on our 2025 objectives. On Wednesday, of this week we will review them to ensure that they are clear, measurable, and actionable.

There are Council Objectives that might impact the Planning Commission. For example,

- Amend zoning regulation to increase housing density.... Your Commission is already focused on this. This is a major objective for your Commission and the Council
- Explore strategies for repurposing existing housing stock including vacant or underutilized properties..... As we explore this, it wouldn't be surprising to find we need new or revised ordinances.
- Review ordinance that significantly impact the environment such as those related to trees and noxious weeds. I see the PCC taking the lead on the "biologic" aspects but the Planning Commission will be asked to weigh in as changes will impact property.
- Evaluate the Yachats Municipal Code for clarity and comprehensiveness. Barry Collins has volunteered to begin the review but ultimately, we will need to amend the ordinances. Since the Planning Commission is intimately familiar with parts of the code, input to improve the language would be appreciated.
- Align Commission rules and ordinances with current practices. We will start with the Parks and Commons (PCC). Planning will be much later (future years) as so much of your role is defined in Oregon statute

You can find the current version of the objectives in the agenda section of the city website. They are in the Councils workshop materials.

We can certainly discuss this further.

Regards, Craig

YACHTS CITY COUNCIL GOALS AND OBJECTIVES

2024 Goals & Objectives

Achieve water sustainability

- Establish a long-term agreement for drought-related emergency supply.
- Invest in a property that: Provides potential locations for water storage
- Invest in a property that: Establishes safe boundaries around water facilities

Provide safe access to and use of city infrastructure, parks, and trails

- Complete the 101 delineators and replace Oceanview delineators
- Improve crosswalk safety
- Decide on a plan to utilize and enhance the green open space behind City Hall.

Environmentally responsible in all we do

- Develop Master Park's/Civic Campus plan, including distributed open spaces.
- Finalize the wetlands assessment.
- Provide education on Wetlands Pond
- Develop a policy for low-maintenance, long-life materials.



2024 Goals & Objectives

Deliver efficient, effective, transparent municipal services

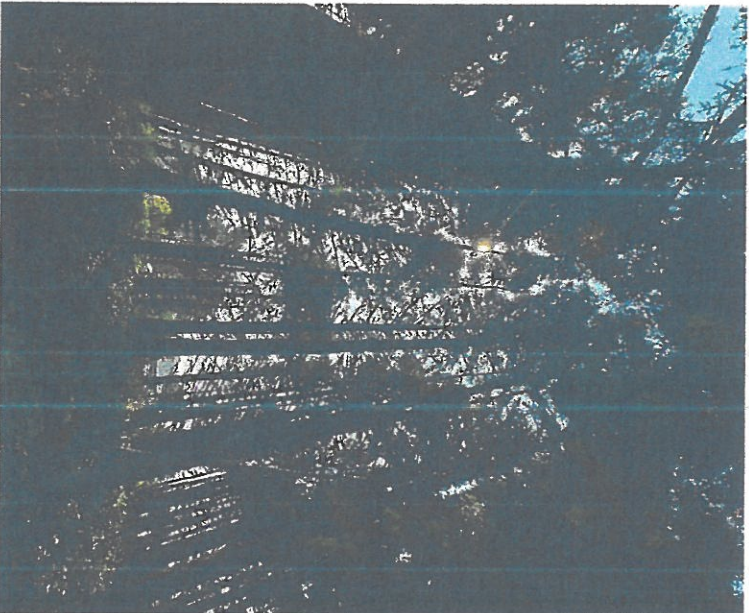
- Ensuring documents are publicly available and searchable per Oregon Public Record requirements
- Surveying the community for overall performance and service request satisfaction
- Summary meeting minutes that include the conversation topics, why the decision was made, and other key discussion points.

Effectively manage and plan for the city's financial needs

- Identify strategies for the city to encourage the development of workforce housing
- Explore administrative overhead allocations to fund budgets

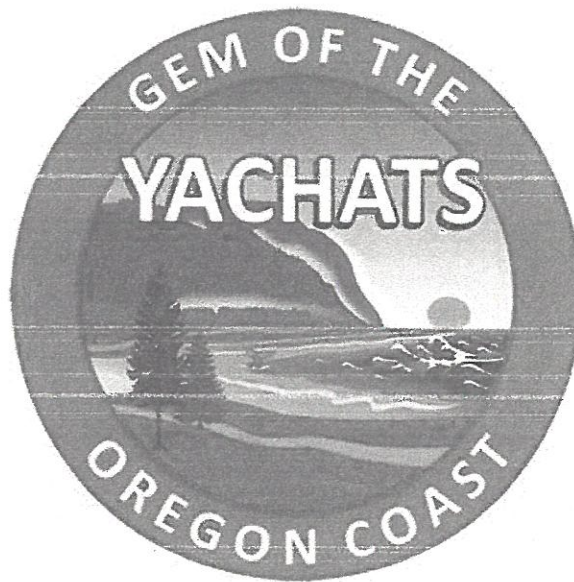
Synchronize and update city policies and administrative rules

- Review and update Council Rules (last amended 2018)
- Develop recommendations for equitably distributing Beautification and Community Support Funds
- Review and revise, if appropriate, Water Shortage Emergency Regulations.



Commission Rules

City of Yachats, Oregon



Initially Adopted and Effective March 1, 2005

Amended April 11, 2005

Amended April 6, 2008

Amended June 11, 2008

Amended November 1,
2008

Amended January 3, 2012

Amended March 5, 2013

Amended July 4, 2015

Amended August 1, 2018

Amended December 18, 2019

5. Commissions:

5.1 Planning Commission.

- 5.11 Membership.** The Planning Commission shall consist of seven members appointed by the Mayor with the approval of Council.

Pursuant to ORS 227.030, no more than two (2) voting members of the commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

All commission members must reside in the City.

All commission members must have resided in the City for no less than six months prior to appointment.

The members of the commission shall receive no compensation for their services.

5.12 Terms of Office

Terms of office on the commission shall be four (4) years and shall expire on December 31st of the 4th year.

A member of the commission may be removed by a majority vote of the City Council for cause.

A vacancy shall be filled by the Mayor with the approval of Council for the unexpired portion of the term.

5.13 Powers and Duties.

Shall have the powers and duties provided for by ORS 227.090, other state law, City Charter, comprehensive plan or other city ordinances.

Shall function primarily as a comprehensive planning body proposing policy and legislation to the Council related to the growth and development of the community. In addition to the authority provided in the previous sentence, the commission:

Shall review the comprehensive plan every four (4) years and make recommendations to the council concerning plan amendments which it has determined are necessary based on further study or changed concepts, circumstances, or conditions;

May formulate and recommend legislation to implement the comprehensive plan;

Shall conduct hearings, prepare findings of fact, and take such actions concerning specific land development proposals as required by city ordinance.

Shall perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion.

5.14 Organization

The commission may select a secretary from among its members, who shall serve at the pleasure of the commission or the City Manager shall designate a city staff member to act as secretary. The secretary shall keep accurate records of all proceedings of the commission and shall perform such duties as are requested of the secretary by the commission, this section, or by law.

5.15 Quorum.

Four (4) members of the commission shall constitute a quorum for the transaction of business.

5.2 Parks & Commons Commission

5.21 Membership. The Parks and Commons Commission shall consist of seven (7) members, appointed by the Mayor with consent of the Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

5.22 Terms of Office.

Terms of office shall be three (3) years and shall expire on December 31st of the third year.