

1. 2:00 P.M. Agenda

Documents:

[2025-07-15 Planning Commission WS And Regular Agenda \(1\) \(1\).Pdf](#)

2. Work Session Meeting Material

Documents:

[Code Amendments Continuation.pdf](#)

3. Meeting Material

Documents:

[Ornlas Partitioning.pdf](#)

[Noxious Weeds Ordinance.pdf](#)

[2025-06-17 DRAFT Planning WS And Reg Minutes Summary.docx \(1\).Pdf](#)

[Planning Commission Issues List.pdf](#)



**CITY OF YACHATS
PLANNING COMMISSION WORK SESSION AND REGULAR MEETING**

Tuesday, July 15, 2025, at 2:00 pm

To Be Held Via Zoom & In Person at:

**Commons Bldg., Civic Meeting Room 1
441 Hwy 101 N., Yachats OR 97498**

Join Zoom Meeting

<https://us02web.zoom.us/j/88930451065>

Meeting ID: 889 3045 1065

Work Session

- I. Meeting Called to order
- II. City of Yachats Code Updates - Continuation - [Link](#)

Regular Meeting

- I. Meeting Called to Order
- II. Announcements and Correspondence
- III. Citizens' Concerns (limited to items not on the agenda, 5-minute limit per person)
- IV. Public Hearings
 - a. Fletcher Variance Request (272 Combs Circle) - Postponed until August 19, 2025
- V. Ongoing Business
- VI. New Business
 - a. Application for Partitioning -Ornelas [Link](#)
 - b. Revision to Noxious & Invasive Plants Ordinance [Link](#)
- VII. Reports
 - a. Commission Chairs' Meeting
 - b. Planner's Report
 - c. Meeting Summary - [Link](#)
 - d. Issues List [Link](#)
- VIII. Other Business
 - a. From Commission
 - b. From Staff

This meeting is open to the public and all interested persons are invited to attend In Person and ZOOM Meetings. This meeting will be audio/video taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. 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; 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 07/08/2025 By: Kimmie Jackson, Recorder



STAFF REPORT

TO: Yachats Planning Commission
FROM: Dan Fleishman, Interim City Planner
SUBJ: First Draft Suggested Code Amendments
DATE: June 17, 2025

Attached is a first draft of various suggested amendments to the Yachats Land Use Code, for consideration by the Planning Commission. At the May 20 meeting, the Planning Commission reviewed the Code Audit performed by Cascadia Partners and requested that I return with these suggestions.

The suggested amendments address the following issues/topics:

1. Definitions changes

There are several definitions that I have suggested be amended, as well as some new ones to be added to the Code. Some of these reflect our discussion at the May meeting. Some come from some comments from Katherine. And some are necessary due to other changes being proposed.

2. Single Room Occupancy Dwellings

A new law, effective in January 2024, requires every local government to allow single room occupancy dwellings of up to 6 units wherever a detached single family dwelling would be permitted. ORS 197A-430 now reads

197A.430 Single room occupancies. (1) As used in this section, “single room occupancy” means a residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.

(2) Within an urban growth boundary, each local government shall allow the development of a single room occupancy:

- (a) With up to six units on each lot or parcel zoned to allow for the development of a detached single-family dwelling; and
- (b) With the number of units consistent with the density standards of a lot or parcel zoned to allow for the development of residential dwellings with five or more units

The suggested amendments would add two definitions to the definition section; include SROs as permitted uses in the Residential and Commercial Zones, establish a density standard in the R-4 and C-1 zones (where multifamily is permitted), and establish a parking requirements of one space per unit.

3 Standards for Manufactured Housing

Yachats' Code currently allows manufactured housing on individual lots in all three residential zones and the commercial zone. The Code establishes several standards for manufactured housing, but has none for site-built houses. ORS 197.478 prohibits the city from applying any standards to manufactured housing that are not applicable to site-built housing.

(4) A local government may not subject manufactured homes or prefabricated structures within an urban growth boundary, or the land upon which the homes or structures are sited, to any applicable standard that would not apply to a detached, site-built single-family dwelling on the same land, except:

- (a) As necessary to comply with a protective measure adopted pursuant to a statewide land use planning goal; or
- (b) To require that the manufacturer certify that the manufactured home or prefabricated structure has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

Therefore, I have suggested that all single family dwellings -- site-built, factory-built, and manufacture housing – all meet the same design standards. I have suggested that standards currently applicable to manufactured apply to all homes, with some modifications. If the Planning Commission is not agreeable to standards for site-built homes, then the other option would be to repeal these standards for manufactured homes.

4. Standard/Procedure for Setback Reduction

At the May meeting, the Planning Commission requested a suggestion for changes in the Code relative to the process for reducing setbacks. I have not included one in the suggested amendments, pending further discussion by the Planning Commission. My more in-depth review of the Code since the May meeting reveals that a situation such as the application before the Planning Commission at the May meeting (a residential-only use in the C-1 zone) is the only instance in the Code where a reduction in setback is authorized. Otherwise, any other reduction from the minimums required in the Code would require a variance. As a reminder, in the C-1 zone, there are no minimum setbacks for commercial or mixed-use structures. However, the Code requires residential-only uses to meet the setbacks of the residential zones and allows the Planning Commission to reduce these after a public hearing. There are no standards or criteria to apply to such a request. I see two options for changes dealing with this situation:

- a. Remove the provision allowing a reduction from the minimums. This would require a residential-only use in the C-1 zone to meet the residential zone setbacks or request a variance. This option would look like this:

F. Yard Regulations. Yards are not required, except for residential-only uses,

unless setbacks have been established for road widening, abutment to residential zones or other purposes. Residential-only uses shall meet the minimum yard requirements applicable in the residential zones.

- G. ~~Residential-Only Uses~~ Off-Street Parking. Refer to Chapter 9.48 - Off-Street Parking and Loading for parking requirements.

- ~~a. Yards proposed to be less than the minimum yard requirements which apply in the residential zones shall be subject to approval by the Planning Commission through a public hearing in accordance with Chapter 9.72 Conditional Uses.~~

- ~~b. Parking requirements shall be the same specifications outlined in R-4.~~

- b. Allow a reduction by staff with clear and objective standards. This option would look like this:

- F. Yard Regulations. Yards are not required, except for residential-only uses, unless setbacks have been established for road widening, abutment to residential zones or other purposes.

- G. Residential-Only Uses.

- a. Yards proposed to be less than the minimum yard requirements which apply in the residential zones shall be ~~subject to approval by the Planning Commission through a public hearing in accordance with Chapter 9.72 Conditional Uses~~ permitted if the Yachats Fire District Fire Chief has submitted a written statement indicating that the proposed setback will provide for adequate access for fire-fighting purposes.

- b. Parking requirements shall be the same specifications outlined in R-4.

The agreement between the City and OCWCOG to provide interim services expires on June 30. OCWCOG stands ready to provide services as we have since early May or for these Code amendments as the Planning Commission and City Hall desire. However, this will require a new agreement. I will be traveling out of state for the month of July and the first week of August. I will be sporadically available but cannot be relied upon for prompt service. Should the City desire, I will work on any revisions to the first draft suggested amendments reflecting discussion at the meeting and have a second draft ready for your review at the July meeting. State law requires that the City provide 35-days' notice to DLCD prior to the first public hearing on any amendments, so the Planning Commission could not hold a hearing on these prior to the August meeting, anyway.

Finally, I want to make sure that you are aware of continued grant opportunities to assist with these code amendments. Just like the grant the provided the services of Cascadia Partners in conducting the code audit, another round of funding is available. The application deadline is August 4. If the ODWCOG staff is available to assist the City with the grant application. I have provided more detail on the grant opportunity to Bobbi.

First Draft Suggested Amendments for Consideration by Yachats Planning Commission

Additions are underlined; deletions are ~~crossed-out~~

Part 1. Add, delete, and amend the following definitions in Section 9.04.030.

"Boundary line, front line" means the boundary line separating the lot or parcel from the street, other than an alley. In the case of a corner lot or parcel, the shortest boundary line along a street, other than an alley; ~~or~~, in the case of a lot or parcel which does not front directly upon a public street, that line toward which most houses in the immediate area face; or, in the case a double frontage lot the boundary line along the street from which vehicular access is gained.

"Dwelling" means a building or portion thereof which is occupied in whole or in part as a residence or sleeping place, either permanently or temporarily by one or more families, but excluding hotels, motels and tourist courts.

Dwelling, Multifamily. "Multifamily dwelling" means a building containing three or more dwelling units.

Dwelling, Single-Family. "Single-family dwelling" means a building designed or used exclusively for the occupancy of one family and having kitchen facilities for only one family.

Dwelling, Two-Family. "Two-family dwelling" means one building containing two dwelling units (duplex).

"Dwelling unit" means one or more rooms designed for permanent occupancy by one family and having not more than one kitchen facility.

"Family" means ~~an individual or two~~ one or more persons ~~related by blood, marriage, adoption or legal guardianship, living together as one housekeeping unit using one kitchen, and providing meals or lodging to not more than two additional persons; or a group of not more than three unrelated persons occupying a premises and;~~ living together as one housekeeping unit ~~using one kitchen.~~

"Kitchen" means a room with cooking facilities that include, at a minimum, a cooktop and oven.

Lot Line, Front. "Front lot line" means the property line separating the lot from the street, other than an alley. In the case of a corner lot, the shortest property line along a street other than an alley; ~~or~~, in a case where the lot does not front directly upon a public street, that lot line toward which most houses in the immediate area face; or, in the case a double frontage lot the boundary line along the street from which vehicular access is gained.

"Single Room Occupancy" means a building with no fewer than four attached but separate single room occupancy units and shared kitchen or food preparation facility(ies). Sanitary facilities (bathrooms) may be shared or may be provided within or between SRO units.

"Single Room Occupancy Unit" means an area within an SRO Development that is independently rented and lockable and provides living and sleeping space for the exclusive use of the unit occupant(s). The living and sleeping space may or may not include sanitary

First Draft Suggested Amendments for Consideration by Yachats Planning Commission

facilities.

"Rooming house" means a residential building or portion thereof providing sleeping rooms where lodging for three or more persons is provided for compensation.

Part 2. Amend Section 9.12.020 as follows:

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

A. One single-family dwelling, factory built dwelling, or manufactured home per tax lot; subject to the following restrictions:

1. The dwelling shall have a minimum horizontal dimension of 24 feet and enclose a space of not less than 1,000 square feet.
2. The dwelling shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the single-family dwelling is placed on a basement or a garage, the 12-inch limitation will not apply.
3. A manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.
4. If the dwelling has a garage or carport, it shall have the same exterior materials as the dwelling.
5. The dwelling shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.
- ~~4-6. If a manufactured home, the transportation mechanisms, including wheels, axles, and hitch, shall be removed.~~

- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction;
- C. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- D. Accessory buildings and uses to the extent necessary and normal in a residential

neighborhood;

- E. Planned unit development. (P.U.D.) except for a manufactured home P.U.D. See Chapter 9.60;
- F. Family day care provider;
- G. Residential home;
- H. ~~Factory built dwelling~~ Single Room Occupancy of no more than six single room occupancy units;

~~I. Single-family manufactured homes on individual lots subject to the following restrictions:~~

- ~~1. The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet. A manufactured home shall not be considered multi-sectional (double-wide or larger) by virtue of having a tip-out section.~~
- ~~2. The manufactured home shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement or a garage, the 12-inch limitation will not apply.~~
- ~~3. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the state building code as defined in ORS 455.010.~~
- ~~4. The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
- ~~5. If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
- ~~6. Manufactured homes shall be subject to all of the restrictions in the residential zone where situated related to signs, lot sizes, yards, height of buildings, lot coverage and other applicable restrictions under the City's zoning and other ordinances.~~
- ~~7. The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~

Part 3. Amend Section 9.16.020 as follows:

In an R-2 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

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- A. One single-family dwelling, factory built dwelling, or manufactured home per tax lot subject to the following restrictions:
1. The dwelling shall have a minimum horizontal dimension of 24 feet and enclose a space of not less than 1,000 square feet.
 2. The dwelling shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the single-family dwelling is placed on a basement or a garage, the 12-inch limitation will not apply.
 3. A manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.
 4. If the dwelling has a garage or carport, it shall have the same exterior materials as the dwelling.
 5. The dwelling shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.
 - ~~6.~~ If a manufactured home, the transportation mechanisms, including wheels, axles, and hitch, shall be removed.
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction;
- C. Recreational Vehicle. See Chapter 9.68;
- D. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- E. Planned unit development. (P.U.D.) except for a manufactured home P.U.D. See Chapter 9.60;
- F. Townhouse planned unit development (P.U.D.). See Chapter 9.62;
- G. Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;

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- H. Two-family dwelling;
- I. Family day care provider;
- J. Residential home;
- K. ~~Factory built dwelling. See Definitions~~ [Single Room Occupancy of no more than six single room occupancy units](#);
- ~~L. Single family manufactured homes on individual lots subject to the following restrictions:
 - 1. ~~The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet. A manufactured home shall not be considered multi-sectional (double wide or larger) by virtue of having a tip-out section.~~
 - 2. ~~The manufactured home shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement or a garage, the 12 inch limitation will not apply.~~
 - 3. ~~The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single family dwellings constructed under the state building code as defined in ORS 455.010.~~
 - 4. ~~The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
 - 5. ~~If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
 - 6. ~~Manufactured homes shall be subject to all of the restrictions in the residential zone where situated related to signs, lot sizes, yards, height of buildings, lot coverage and other applicable restrictions under the City's zoning and other ordinances.~~
 - 7. ~~The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~~~

Part 4. Amend Section 9.20.020 as follows:

In an R-3 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

- A. One single-family dwelling, [factory built dwelling, or manufactured home](#) per tax lot [subject to the following restrictions](#);

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1. The dwelling shall have a minimum horizontal dimension of 24 feet and enclose a space of not less than 1,000 square feet.
 2. The dwelling shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the single-family dwelling is placed on a basement or a garage, the 12-inch limitation will not apply.
 3. A manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.
 4. If the dwelling has a garage or carport, it shall have the same exterior materials as the dwelling.
 5. The dwelling shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.
 6. If a manufactured home, the transportation mechanisms, including wheels, axles, and hitch, shall be removed.
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction;
- C. Recreational Vehicle. See Chapter 9.68;
- D. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- E. Planned unit development. (P.U.D.) except for manufactured home P.U.D. See Chapter 9.60;
- F. Townhouse planned unit development (P.U.D.). See Chapter 9.62;
- G. Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;
- H. Two-family dwelling;
- I. Multifamily dwelling;

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- J. ~~Factory built dwelling. See Definitions~~ Single Room Occupancy of no more than six single room occupancy units or of more than six single room occupancy units provided the density does not exceed 12 single room occupancy units per acre;
- K. Family day care provider;
- L. Residential home;
- M. Residential facility;
- N. ~~Single-family manufactured homes on individual lots subject to the following restrictions:~~
 - 1. ~~The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet. A manufactured home shall not be considered multi-sectional (double-wide or larger) by virtue of having a tip-out section.~~
 - 2. ~~The manufactured home shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement or a garage, the 12 inch limitation will not apply.~~
 - 3. ~~The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the state building code as defined in ORS 455.010.~~
 - 4. ~~The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
 - 5. ~~If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
 - 6. ~~Manufactured homes shall be subject to all of the restrictions in the residential zone where situated related to signs, lot sizes, yards, height of buildings, lot coverage and other applicable restrictions under the City's zoning and other ordinances.~~
 - 7. ~~The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~

Part 5. Amend Section 9.24.020 as follows:

In an R-4 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable.

- A. One single-family dwelling, factory built dwelling, or manufactured home per tax lot subject to the following restrictions:

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1. The dwelling shall have a minimum horizontal dimension of 24 feet and enclose a space of not less than 1,000 square feet.
 2. The dwelling shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the single-family dwelling is placed on a basement or a garage, the 12-inch limitation will not apply.
 3. A manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.
 4. If the dwelling has a garage or carport, it shall have the same exterior materials as the dwelling.
 5. The dwelling shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.
 - ~~4.6.~~ If a manufactured home, the transportation mechanisms, including wheels, axles, and hitch, shall be removed.
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction.
- C. Recreational vehicle. See Chapter 9.68.
- D. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use.
- E. Planned unit development. (P.U.D.) except for manufactured home P.U.D. See Chapter 9.60.
- F. Townhouse planned unit development (P.U.D.). See Chapter 9.62.
- G. Accessory buildings and uses to the extent necessary and normal in a residential neighborhood.
- H. Two-family dwelling.
- I. Multifamily dwelling, including condominiums, townhouses and apartments.

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- J. ~~Factory built dwellings. See Definitions Single Room Occupancy of no more than six single room occupancy units or of more than six single room occupancy units provided the density does not exceed 12 single room occupancy units per acre.~~
- K. Motel, hotel or resort on a minimum of 1.0 acre with direct access provided from U.S. High-way 101 only and with accessory commercial uses.
- L. Family day care provider.
- M. Residential home.
- N. Residential facility.
- ~~O. Single family manufactured homes on individual lots subject to the following restrictions:
 - 1. ~~The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet. A manufactured home shall not be considered multi-sectional (double wide or larger) by virtue of having a tip-out section.~~
 - 2. ~~The manufactured home shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement or a garage, the 12 inch limitation will not apply.~~
 - 3. ~~The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single family dwellings constructed under the state building code as defined in ORS 455.010.~~
 - 4. ~~The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
 - 5. ~~If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
 - 6. ~~Manufactured homes shall be subject to all of the restrictions in the residential zone where situated related to signs, lot sizes, yards, height of buildings, lot coverage and other applicable restrictions under the City's zoning and other ordinances.~~
 - 7.1. ~~The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~~~

Part 6. Amend Section 9.28.010 as follows:

In a C-1 zone the following uses and their accessory uses are permitted, subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

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- A. A governmental structure or use of land and public utility facility;
- B. Any use which would be permitted outright in any residential zone;
- C. Retail stores and shops such as food, drug, apparel, hardware, furniture and similar establishments;
- D. Personal or business service establishment such as barber or beauty shop, tailor shop or similar establishment;
- E. Financial institution;
- F. Business or professional office;
- G. Private museum or art gallery;
- ~~H. Family day care provider;~~
- ~~I. Residential home;~~
- ~~J. Residential facility;~~
- ~~K.H.~~ Automobile service station with direct access to U.S. Highway 101;
- ~~L.I.~~ Laundry or dry cleaning establishment;
- ~~M.J.~~ Restaurant, bar or tavern;
- ~~N. Motel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses;~~
- ~~O.K.~~ (Reserved).
- ~~P.L.~~ Mobile vending unit subject to the following restrictions:
 - 1. Prior to operating a mobile vending unit the operator shall:
 - a. Have written authorization from the property owner for the operation of a mobile vending unit;
 - b. Obtain a City business license;
 - c. Submit a description of operating characteristics, vehicular access and parking, and any other information required by the City. The operating characteristics, access and parking, and additional information are subject to review and approval by the City.
 - 2. Mobile vending units shall not be located in the public right-of-way (the exception to this is a "festival or community event" approved by City Council).
 - 3. The mobile vending unit operator/applicant is responsible for obtaining all required agency permits and approvals.

First Draft Suggested Amendments for Consideration by Yachats Planning Commission

Part 7. Amend Section 9.48.010.L.1 as follows:

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

One-family dwelling, two spaces;

Two-family dwelling, four spaces;

Three-family dwelling, five spaces;

Four-family dwelling, six spaces;

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

Single Room Occupancy, one space per single room occupancy unit.

JUNE 19, 2025

96-7427/3232
BRCH44

CHECK ARMOR
Photo Safe Deposit®
Details on back

Pay to the Order of CITY OF YACHTS

\$ 200.00

TWO HUNDRED ^{NO}/₁₀₀

Dollars

547-3063



800-731-6173 oregonstatecu.com

For ORNELAS PARTITION APPLICATION

[Signature]

4-9 lots	250.00
10 or more lots	350.00

Staff Initials: _____
(Actual expenses in excess of fee will be billed.)

Partition Subdivision 4-9 lots Subdivision 10 or more lots

Address of Property: 198 YACHTS OCEAN ROAD

Tax Lot No. 14-12-27-DD-#2000

Property Owner: MICHAEL ORNELAS Phone: 925-550-8790

Mailing Address: 231 NW 3RD ST. NEWPORT, OREGON 97365

Agent (if any): STEPHEN SWINEHART Phone: 541-961-4374

Address: PO 1738 NE 6TH DR. LINCOLN CITY, OREGON 97367

Surveyor: STEPHEN SWINEHART Phone: _____

Directions to property: FROM THE BRIDGE @ YACHTS RIVER; SOUTH 0.15 MILE; RT @ SHEL PROCEED 0.1 MILE

Current Zone: R-1 Lot Dimensions: ≈ 100' x 217' Area: 0.5 ac

Flood Zone: _____ Natural Hazard: _____

Name of Subdivision: _____

Water Source: CITY OF YACHTS Sewage Disposal: CITY OF YACHTS

Other Utilities: POWER: CENTRAL LINCOLN P.U.D.

The following information is required at the time of submittal.

An incomplete application will not be accepted.

A map of the property containing the following information:

- Date, north point and scale of the drawing. ✓
- A vicinity sketch showing the location of the partition/subdivision. ATTACHED
- The approximate location and dimensions of all proposed boundary/lot lines. ✓
- Approximate area of the property being partitioned and each proposed parcel. For a subdivision - Gross acreage of the property being subdivided, number of lots within the plat, and size of the smallest lot in the plat.
- Name, location, and width of all existing and proposed roads, right-of-way, and easements. ✓
- Existing and proposed uses of the property. ✓
- Approximate location and use of all existing structures to remain on the site. ✓ Indicate those to be removed.
- Any limitations to development; i.e. topography, areas subject to flooding, geologic hazards, drainage channels on property, etc. ✓
- A copy of the request to the County Health Department for site inspection.

→ For subdivision also include:

- Names, surfacing, direction of drainage, and approximate grade of all streets within and abutting the subdivision.
- Legal access to subdivision, if not abutting a public road. (If by easement, a copy of the deed giving easement.)
- Proposed lot and block numbers.
- Width, depth, and direction of flow of all drainage channels on the property.
- Contour lines with a ten (10) foot interval if slope exceeds 10%; five (5) foot intervals if less than 10%. State the source of the contour information.
- If existing and proposed easements crossing the property.
- Pedestrian walkways (if any).
- Areas other than streets to be offered for dedication to the public - example - parks.
- Heavily wooded areas.
- Adjacent land owned by the subdivider.
- The feasibility report.

Note: Some of the above items may not apply to the property being subdivided, however, as much information as possible must be shown. A preliminary plan may be returned until adequate information is given.

I certify that this application and its related documents are accurate to the best of my knowledge.



SWINGHART LAND SURVEYING

Signature of Applicant or Agent

Date JUNE 19, 2025



Signature of Owner
(if different than agent)

Date 6/19/25

LST.

Notes:

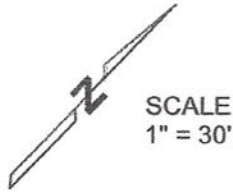
- Within 5 business days following the acceptance of an application by City Staff, copies of the preliminary plan shall be distributed to appropriate agencies and departments for review, comments, and recommendations.
- If approved, the preliminary approval is valid for one year for a partition, two years for a subdivision. During that time all conditions set out by the Planning Commission should be completed.
- Please review the current ordinance to ensure all requirements are met when submitting final plat.
- For a subdivision: At such time as a preliminary plan is proposed which includes private streets, all adjacent property owners will be notified of such proposal and the time and place of the Planning Commission meeting.

PARTITION PROPOSAL
for **MICHAEL ORNELAS**
of property described in

Doc 2024-5900

(Tax Lot #2000 Map 14-12-27 DD)

JUNE 18, 2025



YACHATS

OCEAN ROAD
N 71°42' E 77.93

(WIDTH VARIES)

LEGEND

- MONUMENT FOUND
- ◇ CALCULATED POINT
- - - CONTOUR LINE (5 ft INTERVAL)

Tax Lot #2600
WELCH

Tax Lot #2000
ORNELAS
currently 22,108 sq ft

NOTES :
SEE YACHATS PLANNING FILE :
#2-VAR-PC-25 (Variance to the
80 ft depth requirement)

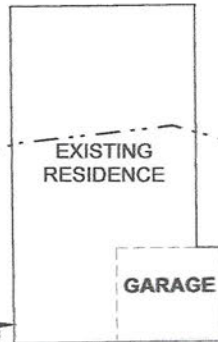
EXISTING & FUTURE USE :
SINGLE FAMILY RESIDENTIAL

THERE ARE NO KNOWN LIMITATIONS
TO DEVELOPMENT; i.e. TOPOGRAPHY,
FLOODING, GEOLOGIC, DRAINAGE, etc.

THE SOURCE OF THE CONTOURS
IS THE LINCOLN COUNTY G.I.S.

Tax Lot #2700
SEA PEARL LLC

**PROPOSED
PARCEL 1**
±14,538 sq ft



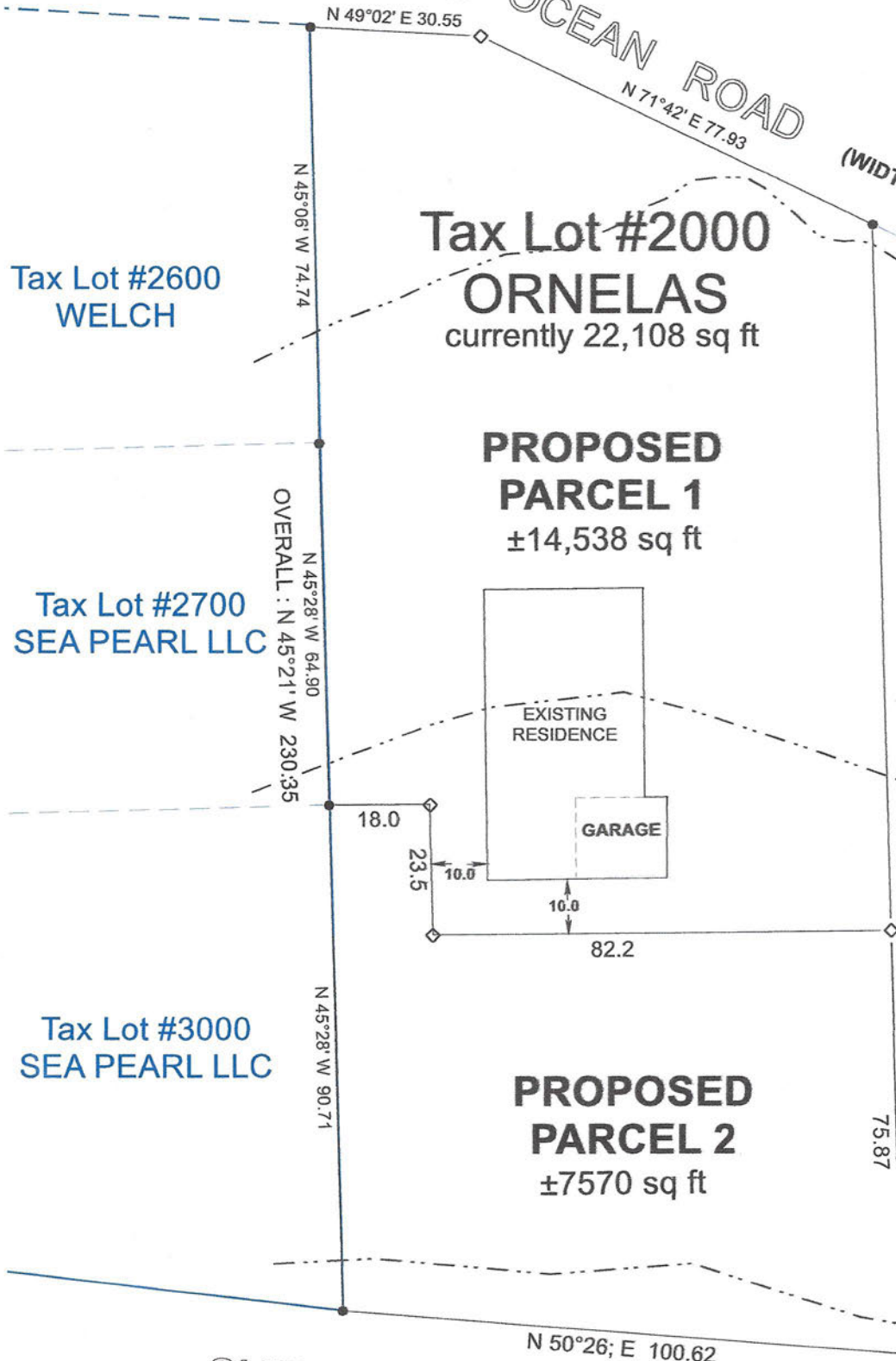
Tax Lot #1900
TRACY

Tax Lot #3000
SEA PEARL LLC

**PROPOSED
PARCEL 2**
±7570 sq ft

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

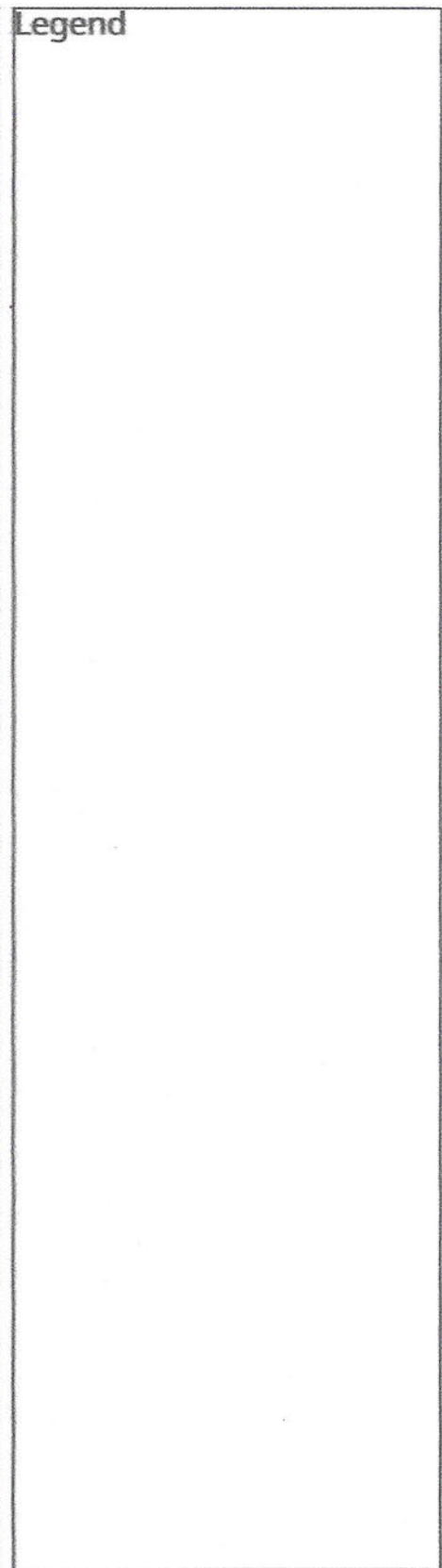
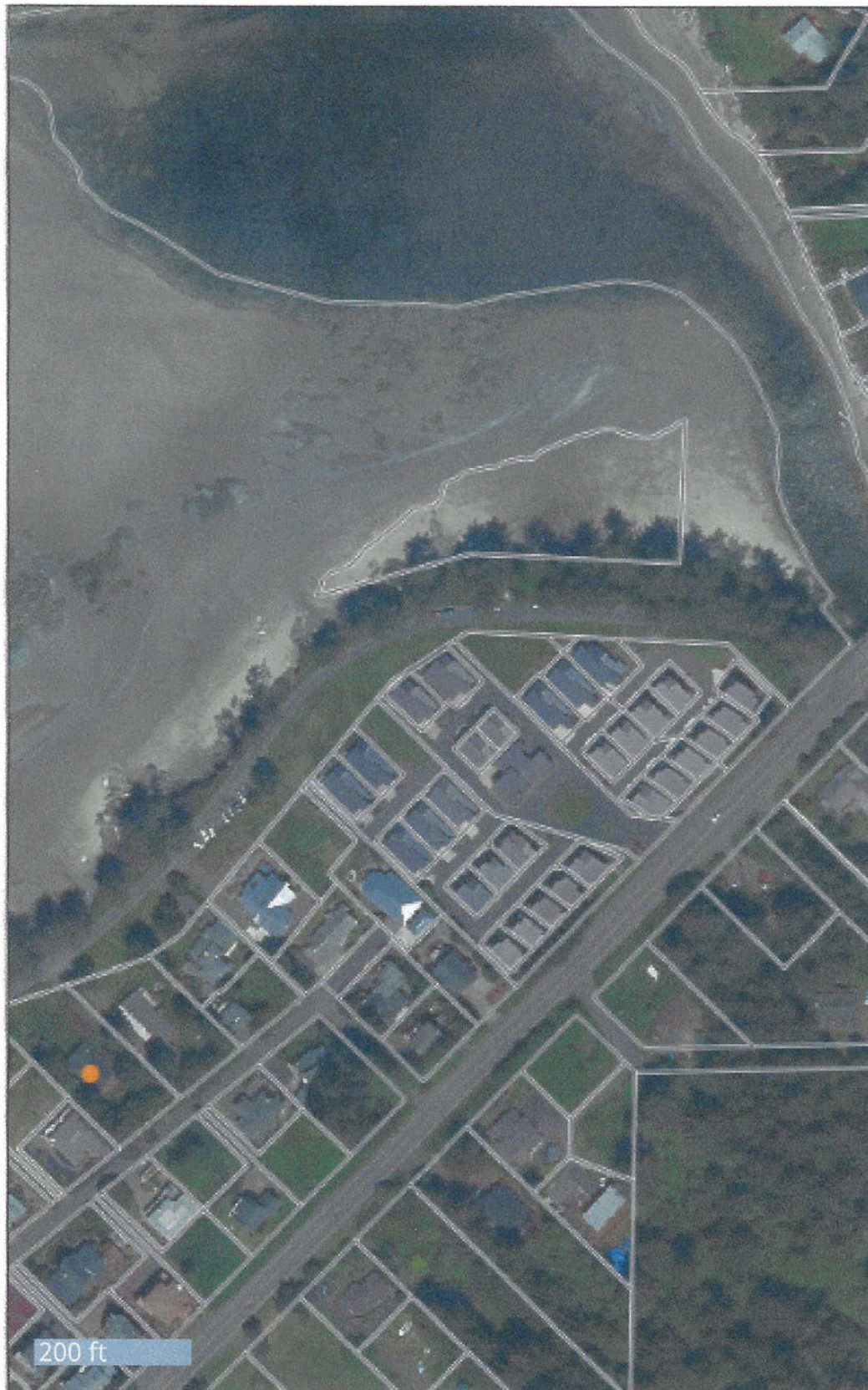
OREGON
JULY 16, 1982
STEPHEN LOY SWINEHART
2013



SHELL STREET (30')

RENEWAL DATE : 6/30/26
prepared by :
SWINEHART LAND SURVEYING
51 PIONEER TRAIL
TOLEDO, OREGON
541-961-4374

Ornelas vicinity map



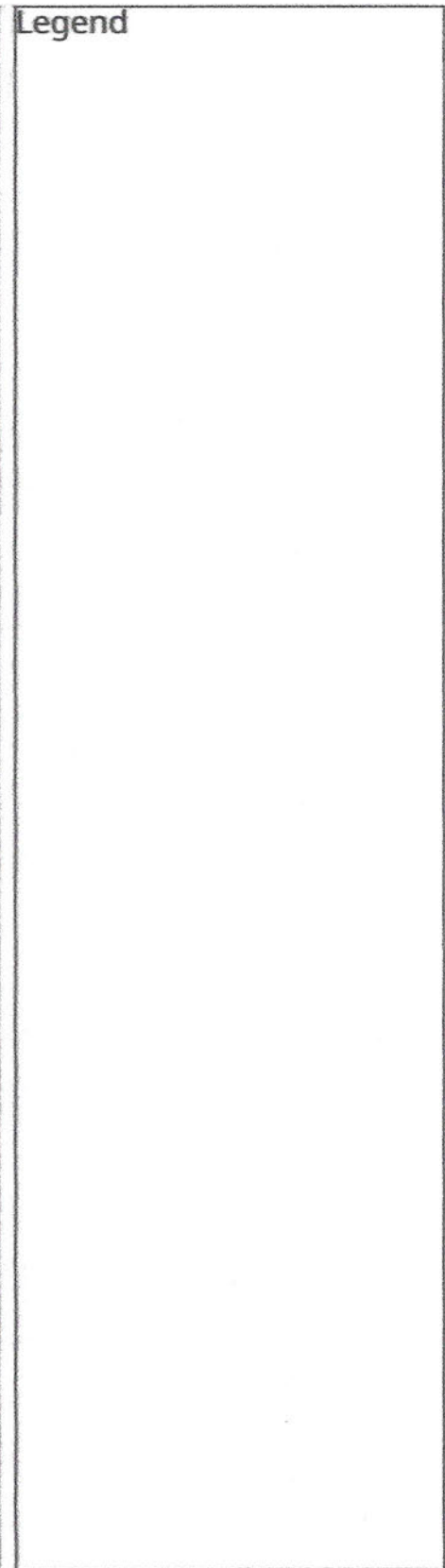
Printed on 6/19/2025

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.



Ornelas vicinity map



Printed on 6/18/2025

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-PAR-PC-25
DATE FILED: June 20, 2025
DATE APPLICATION DEEMED COMPLETE: June 36, 2025
DATE of PLANNING COMMISSION ACTION: July 15, 2025
PREVIOUS ACTION: none

STAFF REPORT

Application for Partitioning

APPLICANT: Michael Ornelas

A. REPORT OF FACTS

- 1. Property Location:** The subject property is located at 198 Yachats Ocean Rd and is described on Lincoln County Assessor's Map 14-12-27-DD as Tax Lot 2000.
- 2. Applicant's Request:** The applicant is requesting approval to create a new parcel.
- 3. Zoning:** Residential Zone R-1
- 4. Plan Designation:** Residential
- 5. Lot Size and Dimensions:** The subject property is 0.50 acres, with dimensions of 100-foot lot width with an average lot depth of 210 feet.
- 6. Existing Structures:** There is an existing single family residence on the property.
- 7. Topography:** The subject property is generally flat.
- 8. Surrounding Land Use:** Properties immediately adjacent are developed in residential uses or vacant.
- 9. Utilities:** Water and sanitary sewer – City of Yachats. Electric – Central Lincoln PUD.
- 10. Development Constraints:** None.

B. EVALUATION OF REQUEST

1. Applicant's Proposal:

The applicant submitted the required application form and fee, a narrative addressing the relevant criteria and a proposed preliminary partition plat.

2. Relevant Yachats Municipal Code (YMC) Criteria:

YMC Section 9.12.040.A Lot Size and Dimensions in the R-1 Residential Zone

A. Lot Size and Dimensions. The minimum lot size and dimensions in an R-1 zone shall be as follows:

1. The minimum lot area shall be 7,500 square feet when the lot is served by both a public water supply and public sewage system.

5. The minimum lot depth shall be 80 feet.

YMC Section 9.56.020. General requirements and minimum standards of design and development of partitions and subdivisions

The following are the minimum requirements and standards to which partitions and subdivisions must conform before approval:

- A. Conformity to the Comprehensive Plan. All partitions and subdivisions shall conform with all adopted portions of the comprehensive plan, zoning ordinance and all other adopted plans. Major streets, parkways, parks and recreation areas, community and neighborhood facilities should be placed in approximately the same locations designated by the comprehensive plan.
- B. Access. The partitioning and subdividing of land shall provide each lot or parcel, by means of a public or private road or street, satisfactory vehicular access to an existing street.
- C. Relation to Adjoining Street System. A partition or subdivision shall provide for the continuation of the major and secondary streets existing in the adjoining subdivisions or partitions and for their proper projection when the adjoining property is not subdivided. If the Planning Commission adopts a plan for a neighborhood of which the partition or subdivision is a part, the partition or subdivision shall conform to such adopted neighborhood or area plan. If, in the opinion of the Planning Commission, topographic conditions make such continuation or conformity impractical, exceptions may be made.

When a tract is partitioned or subdivided into lots of an acre or more, the Planning Commission may require an arrangement of lots and streets such as to permit a later repartitioning or resubdivision in conformance with the street requirements and other requirements contained in these regulations.

D. Easements.

1. Where alleys are not provided, easements of not less than five feet in width shall be provided on each side of the rear line or side line for necessary utility lines, wires, conduits, storm and sanitary sewers, gas and water. Easements of the same or greater widths may be required along boundary lines or across lots or parcels where necessary

for the extension of utility lines, waterways and walkways, and to provide necessary drainage ways or channels.

2. A private easement established without full compliance with these regulations may be approved by the Planning Commission provided it is the only reasonable method by which the rear portion of an unusually deep lot or parcel may be provided vehicular access.
- E. Public Accessways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways 10 to 20 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for a network of public paths according to adopted plans or to provide access to schools, parks, beaches or other public areas, of such design and location as reasonably required to facilitate public use.
- F. Lots and Parcels.
1. Every lot and parcel shall abut on a street and the frontage of each shall not be less than 25 feet, unless the Planning Commission grants otherwise.
 2. Each side line shall be as close to perpendicular to the adjacent street line or radial to a curved street line as possible.
 3. Lots or parcels with double frontage shall not be permitted unless, in the opinion of the Planning Commission, an odd shaped tract or existing topography makes such lot or parcel unavoidable.
 4. Lot and parcel sizes and dimensions shall conform to the requirements for lot size and area of the zoning classification in which the partition or subdivision is located.
 5. Lots and parcels under 25,000 square feet in area must not exceed a depth to width ratio of two and one-half (2.5) to one. Lots and parcels over 25,000 square feet in area must not exceed a depth to width ratio of three and one-half (3.5) to one.
- G. "Performance Agreement." Performance Agreement means an irrevocable letter of credit, surety bond, or cash guaranteeing the satisfactory completion of a project by a developer.

If the developer desires to record the plat prior to completion and approval of all improvements required by the Planning Commission the Planning Commission may accept in lieu of the completion of improvements a performance agreement or bond. The performance agreement shall be executed with the City Council in accordance with the seven requirements described below.

1. Improvements. Improvements include all infrastructure, e.g. streets, water, sewer, storm drainage, pedestrian facilities, and any other improvements required as part of the tentative approval.

2. Performance Agreement Required. When a performance agreement is required the applicant shall file an assurance of performance with the City supported by one of the following:
 - a. An irrevocable letter of credit executed by a financial institution authorized to transact business in the State of Oregon;
 - b. A surety bond executed by a surety company authorized to transact business in the State of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or
 - c. Cash.
3. Determination of Sum. The assurance of performance shall be for a sum determined by the City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.
4. Itemized Improvement Estimate. The developer shall furnish to the City an itemized cost estimate for each improvement, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.
5. Agreement. An agreement between the City and developer shall be recorded with the final plat that stipulates all of the following:
 - a. Specifies the period within which each required improvement and repair shall be completed, and how performance funds are released;
 - b. A provision that if work is not completed within the period specified, a time extension may be granted or the City may complete the work and recover the full cost and expenses from the applicant;
 - c. Stipulates the improvement fees and deposits that are required.

The agreement may be prepared by the City, or in a letter prepared by the applicant. It shall not be valid until it is signed and dated by both the applicant and the City.
6. If Developer Fails to Perform. If the developer fails to carry out all provisions of the agreement the City shall call on the performance agreement for completion of the project.
7. Termination of Performance Agreement. The developer shall not cause termination of nor allow expiration of the agreement without having first secured written authorization from the City.
- H. Water. All lots in partitions or subdivisions shall be served by a public water system. No plat of a partition or subdivision shall be approved unless the City has received and accepted:
 1. A certification by the City Water Director that water will be available from the nearest point of supply; or

2. A performance agreement, bond contract or other assurance that a water supply system will be installed by or on behalf of the subdivider to every lot or parcel depicted in the proposed partition or subdivision.
- I. Sewer. No plat of a partition or subdivision shall be approved unless the City has received and accepted:
 1. A certification by the City Sewer Director that sewage service will be available at the nearest point of collection; or
 2. A performance agreement, bond, contract or other assurance that sewage disposal lines will be installed by or on behalf of the partitioner or subdivider to the boundary line of each and every lot or parcel depicted in the proposed partition or subdivision;
 3. Where no sewerage service is available, the Department of Environmental Quality or county health department shall approve the proposed method of sewage disposal adequate to support the proposed use of the land for the partition or subdivision. A statement that no sewerage service is available and that the proposed method of sewage has been approved will be provided to the purchaser of each lot or parcel in the proposed partition or subdivision. A copy of any such statement signed by the partitioner or subdivider and endorsed by the Planning Commission chair shall be filed by the partitioner or subdivider with the real estate commissioner..

3. Public Testimony Received: At the time this staff report was prepared, the City had not received any public testimony.

C. STAFF ANALYSIS

The applicant is the owner of 0.5-acre parcel with frontage on both Yachats Ocean Rd and Shell St, improved with a pre-zoning single family home.

A copy of a 2023 aerial photo with the tax assessors maps is shown below.



1. Partition Requirements

As noted above, there are nine criteria for approving an application for partitioning. As indicated in the draft order, the suggested findings indicate that each criterion.

The site plan shows the proposed lot line located such that both parcels meet the minimum lot area requirement, the existing home will meet the minimum side and rear yard requirements, and the new parcel will meet the lot area requirements as closely as possible.

D. CONCLUSIONS

It appears to staff that the application meets the criteria of approval.

E. RECOMMENDATION

Therefore, the recommendation from staff is to approve the application as requested. Staff has prepared a draft order for consideration by the Planning Commission, attached.

F. OPTIONS AND SUGGESTED MOTIONS

Staff has presented the Planning Commission with a number of options, with a suggested motion for each option. Staff recommends Option 1.

1. Approve the application and adopt the Order of Approval as presented.

I move the Yachats Planning Commission approve the application of Michael Ornelas for a partitioning and adopt the draft order of approval as presented.

2. Approve the application and adopt the Order of Approval with modifications.

I move the Yachats Planning Commission approve the application of Michael Ornelas for a partitioning and adopt the order of approval with the following modifications.

3. Deny the application and direct staff to prepare an Order of Denial.

I move the Yachats Planning Commission deny the application of Michael Ornelas for a partitioning for the following reasons and direct staff to prepare an order reflecting the decision for consideration by the Planning Commission at its August meeting.

Submitted by,

Dan Fleishman
Interim City Planner

Enclosures: 198 Yachats Ocean Rd Partitioning Application
Draft Order of Approval

BEFORE THE YACHATS PLANNING COMMISSION

In the matter of) Partitioning
the application for) #1-PAR-PC-25
Michael Ornelas)

ORDER OF APPROVAL

I. NATURE OF APPLICATION

The applicant is requesting approval to divide a parcel of land in the R-1 Zone into two parcels.

II. FINDINGS OF FACT

A. GENERAL FACTS

1. The owner of the property is Michael Ornelas.
2. The applicant is the owner.
3. The property can be described as tax lot 2000, on Map 14-12-27-DD of the Lincoln County Assessors Maps.
4. The property is zoned Residential R-1.
5. The property is addressed as 198 Yachats Ocean Rd.
6. The property is a double frontage lot with 100.53 feet of frontage on Shell St and 106.5 feet of frontage on Yachats Ocean Rd. The lot depth is 216.5 feet. The parcel is 0.50 acres in area.
7. The adjacent property to the northeast is zoned R-1, is 0.39 acres in size with 100 feet of lot width, and is developed with a single family dwelling. The property to the southeast, across Shell St, is zoned R-1, is approximately 7,520 square feet in area with 80 feet of lot width, and is vacant. The three properties to the southwest are zoned R-1, range in size from about 6,500 square feet to about 7,650 square feet, and two are vacant and one is developed with a single family dwelling. The property to the northwest, across Yachats Ocean Rd, is zoned State Parks (S-P) and is part of the Yachats Ocean Road State Natural Site.

B. EXISTING CONDITIONS

The property is developed with a single family dwelling, with a driveway accessing Yachats Ocean Rd.

On June 17, 2025 the Planning Commission approved a variance to the minimum lot depth requirement in the R-1 Zone.

C. PROPOSAL

The applicant has submitted an application for land division. The proposed partitioning shows the creation of two parcels. Parcel 1 would include the existing residence, with frontage on Yachats Ocean Rd, containing 14,538 square feet. Parcel 2 would be a vacant parcel with frontage on Shell St, and an area of 7,570 square feet.

D. ANALYSIS

YMC Sect 9.56.020 establishes the minimum standards of design and development of partitions.

E. APPROVAL CRITERIA

- A. *Conformity to the Comprehensive Plan. All partitions and subdivisions shall conform with all adopted portions of the comprehensive plan, zoning ordinance and all other adopted plans. Major streets, parkways, parks and recreation areas, community and neighborhood facilities should be placed in approximately the same locations designated by the comprehensive plan.*

Finding: The minimum lot area in the R-1 Zone is 7,500 square feet when served by both public water and public sewer. Both parcels will be served by both public water and public sewer. Parcel 1 will have a lot area of 14,538 square feet and Parcel 2 will have a lot area of 7,570 square feet. The minimum lot width in the R-1 Zone is 60 feet for an interior lot. Each parcel will have a lot width of approximately 100 feet. The minimum lot depth in the R-1 Zone is 80 feet. Parcel 1 will have a lot depth of over 140 feet. Parcel 2 will have a lot depth of 75.2 feet, in accordance with the variance granted. The new lot line will be a minimum of 10 feet from the existing structure on Parcel 1.

- B. *Access. The partitioning and subdividing of land shall provide each lot or parcel, by means of a public or private road or street, satisfactory vehicular access to an existing street.*

Finding: Each parcel will have frontage on a public street.

- C. *Relation to Adjoining Street System. A partition or subdivision shall provide for the continuation of the major and secondary streets existing in the adjoining subdivisions or partitions and for their proper projection when the adjoining property is not subdivided. If the Planning Commission adopts a plan for a neighborhood of which the partition or subdivision is a part, the partition or subdivision shall conform to such adopted neighborhood or area plan. If, in the opinion of the Planning Commission, topographic conditions make such continuation or conformity impractical, exceptions may be made.*

When a tract is partitioned or subdivided into lots of an acre or more, the Planning Commission may require an arrangement of lots and streets such

as to permit a later repartitioning or resubdivision in conformance with the street requirements and other requirements contained in these regulations.

Finding: No new streets are proposed. There is not an adopted plan for the neighborhood. Neither of the parcels exceed an acre in area.

D. *Easements.*

1. *Where alleys are not provided, easements of not less than five feet in width shall be provided on each side of the rear line or side line for necessary utility lines, wires, conduits, storm and sanitary sewers, gas and water. Easements of the same or greater widths may be required along boundary lines or across lots or parcels where necessary for the extension of utility lines, waterways and walkways, and to provide necessary drainage ways or channels.*
2. *A private easement established without full compliance with these regulations may be approved by the Planning Commission provided it is the only reasonable method by which the rear portion of an unusually deep lot or parcel may be provided vehicular access.*

Finding: The preliminary plat does not show easements. The Public Works Department and private utilities have not requested any easements.

E. *Public Accessways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways 10 to 20 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for a network of public paths according to adopted plans or to provide access to schools, parks, beaches or other public areas, of such design and location as reasonably required to facilitate public use*

Finding: Each parcel has frontage on a public street. There are no cul-de-sacs or features to access.

F. *Lots and Parcels.*

1. *Every lot and parcel shall abut on a street and the frontage of each shall not be less than 25 feet, unless the Planning Commission grants otherwise.*
2. *Each side line shall be as close to perpendicular to the adjacent street line or radial to a curved street line as possible.*
3. *Lots or parcels with double frontage shall not be permitted unless, in the opinion of the Planning Commission, an odd shaped tract or existing topography makes such lot or parcel unavoidable.*
4. *Lot and parcel sizes and dimensions shall conform to the requirements for lot size and area of the zoning classification in which the partition or subdivision is located.*

5. *Lots and parcels under 25,000 square feet in area must not exceed a depth to width ratio of two and one-half (2.5) to one. Lots and parcels over 25,000 square feet in area must not exceed a depth to width ratio of three and one-half (3.5) to one.*

Finding: Each parcel has frontage on a public street and lot frontage of over 100 feet. Side lot lines are existing. The partitioning eliminates a double frontage lot. Each lot will exceed the minimum lot area requirement in the R-1 Zone. Parcel 1 will have a depth to width ratio of approximately 1.4:1. Parcel 2 will have a depth to width ration of under 1.0.

- G. *"Performance Agreement." Performance Agreement means an irrevocable letter of credit, surety bond, or cash guaranteeing the satisfactory completion of a project by a developer.*

If the developer desires to record the plat prior to completion and approval of all improvements required by the Planning Commission the Planning Commission may accept in lieu of the completion of improvements a performance agreement or bond.

Finding: There are no public improvements anticipated.

- H. *Water. All lots in partitions or subdivisions shall be served by a public water system. No plat of a partition or subdivision shall be approved unless the City has received and accepted:*
 1. *A certification by the City Water Director that water will be available from the nearest point of supply; or*
 2. *A performance agreement, bond contract or other assurance that a water supply system will be installed by or on behalf of the subdivider to every lot or parcel depicted in the proposed partition or subdivision.*

Finding: The Public Works Director has indicated that public water is available to the vacant parcel.

- I. *Sewer. No plat of a partition or subdivision shall be approved unless the City has received and accepted:*
 1. *A certification by the City Sewer Director that sewage service will be available at the nearest point of collection; or*
 2. *A performance agreement, bond, contract or other assurance that sewage disposal lines will be installed by or on behalf of the partitioner or subdivider to the boundary line of each and every lot or parcel depicted in the proposed partition or subdivision;*
 3. *Where no sewerage service is available, the Department of Environmental Quality or county health department shall approve the proposed method of*

sewage disposal adequate to support the proposed use of the land for the partition or subdivision. A statement that no sewerage service is available and that the proposed method of sewage has been approved will be provided to the purchaser of each lot or parcel in the proposed partition or subdivision. A copy of any such statement signed by the partitioner or subdivider and endorsed by the Planning Commission chair shall be filed by the partitioner or subdivider with the real estate commissioner.

Finding: The Public Works Director has indicated that public sewer is available to the vacant parcel.

IV. CONCLUSION

Based on the facts above, the Planning Commission concludes that criteria for approval have been met.

V. ORDER

Based on the conclusion above, the Planning Commission approves the application for partitioning as shown on a plan entitled Partition Proposal for Michael Ornelas, prepared by Swinehart Land Surveying and dated June 18, 2025.

VI. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

This review and approval process does not take the place of or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

VII. EFFECTIVE DATE

This decision regarding this application is final but shall not become effective until the 15th day after the execution of this order, and then only if no appeal to the Yachats City Council is timely filed. In the event of a timely appeal to the City Council, this decision shall not become effective until the appeal is finally resolved, including any appeals from the decision of the City Council to the Oregon Land Use Board of Appeals.

Subject to the Effective Date of this decision set forth herein, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein commences within 1 year of the effective date of this decision. As such, the applicant must submit a final partition plat no later than July 30, 2026. In case such rights have not been exercised or extension obtained, this approval shall expire. A written request for an extension of time may be filed with the Planning Department at least 30 days prior to the expiration date of the approval.

VIII. APPEAL DATES

The Planning Commission's action may be appealed to the Yachats City Council pursuant to YMC Sect. 9.88.120 Appeals.

Marc Sakamoto,
Planning Commission Chairperson

Date

Parties participating in the hearing:

Pam and Tom Lauritzen
204 Shell Street
Yachats
thomaslauritzen59@gmail.com

REPORT FOR PLANNING COMMISSION
RE: REVISION TO NOXIOUS & INVASIVE PLANTS ORDINANCE
NOTES FROM PARKS & COMMONS MEETING 07-01-2025
For Planning Commission Meeting July 15, 2025

General:

Subject: Revision to YMC 5.08.110, "Noxious and invasive vegetation".

Attachments: Documents from the Parks & Commons Commission Packet meeting on Tuesday, July 1, 2025 (also available on City website):

Ord 5.08.110 Noxious and invasive vegetation (current ordinance)

List of "Noxious weeds and invasive plants in the Yachats area"

Proposed Ord 5.08.110 Draft – Mayor Berdie

Draft List of Yachats-specific weeds (Ron Simans). Final to follow.

Additional information concerning ordinance 5.08.110 is available on-line at City website (differs from above).

More discussion is available with the PCC session recording, available on-line.

Discussion:

During the Parks & Commission meeting the process as discussed is for the P&CC to provide a list of noxious and invasive plants in the Yachats area that may be used in the writing of Ordinance revisions.

The Planning Commission will prepare the revised Ordinance 5.08.110, language and content. That section of the ordinance will cover private property, although City property will by reference be included.

Current "questions" for the P&CC included: How is City property, rights-of-way, easements, etc. to be included. The City will not be exempt (CM).

Mayor Berdie has prepared suggested ordinance revision language (attached).

Mayor Berdie cautioned the P&CC not to depend solely on the Department of Agriculture information about specific plants. Use multiple sources such as the Mid-coast Watershed, etc.

Summary:

As other issues were discussed in previous P&CC meetings, but not in the 7-01-25 meeting, I will make inquiries with the City if other ordinance sections or topics are also to be revised, and if there are any will discuss them at the 7-15-2025 PC meeting.

LOREN DICKINSON
Planning Commission
July 2, 2025

Residential fences shall be constructed of material specifically designed and manufactured for fencing purposes. Use of any material which will do bodily harm, such as electric or barbed wire, upturned barbed selvage, broken glass, spikes, or any other hazardous or dangerous materials shall be prohibited. (Refer to Section 9.04.030 of YMC for definition of "selvage".)

- B. Electric Fence. No owner or person in charge of property shall construct, maintain or operate an electric fence along a sidewalk or other public way or along the adjoining property line of another person.
(Ord. 174 § 18, 1995; Ord. 372, 8/16/2024)

§ 5.08.100. Junk.

- A. No person shall keep junk outdoors on a street, lot, or premises, or in a building that is not wholly or entirely enclosed except for doors used for ingress and egress.
- B. The term "junk" as used in this section, includes, but is not limited to, all motors, motor vehicle parts, abandoned or discarded vehicles, machinery, machinery parts, appliances, iron or other metal, glass, paper, lumber, wood or other waste or discarded material.
- C. This section does not apply to junk kept in a licensed junk yard or automobile wrecking facility.
(Ord. 174 § 19, 1995)

§ 5.08.110. Noxious and invasive vegetation.

- A. No owner or person in charge of real property shall permit, grow or allow noxious vegetation to grow on the property. Nor shall any owner or person in charge of real property permit listed invasive plants within a riparian corridor, as described in Section 9.52.070 of this code (hereafter riparian corridor). Noxious vegetation and invasive plants within a riparian corridor are declared a nuisance, and their presence is non-conforming with the Yachats Comprehensive Plan. Some species of noxious vegetation are declared public health hazards.
- B. The owner or person in charge of real property shall abate noxious vegetation from the property, or invasive plants within a riparian corridor and do so in a manner that will prevent noxious vegetation from going to seed or propagating by other means. The owner and the person in charge shall be jointly and severally liable for the cost of abatement and may be liable for personal injury or damage resulting from the presence of noxious vegetation knowingly propagated on their property.
- C. For purposes of this section, "noxious vegetation" is defined as: introduced "weed" species and native vegetation that is, or is likely to become:
1. A health hazard, including plants such as Scotch Broom and others that may seasonally cause severe allergic reactions, and plants such as Poison Hemlock which is extremely toxic if ingested. Any such vegetation shall be prima facie evidence of a health hazard;
 2. A fire hazard, including native and introduced grasses, bushes, weeds or other noxious vegetation allowed to grow in vacant lots or other open areas. Any such vegetation shall be prima facie evidence of a fire hazard;
 3. A traffic hazard, including the presence of trees, bushes, or other tall vegetation that impairs the view of the public thoroughfare, street corner, path, or trail making use of the thoroughfare hazardous. Any such vegetation shall be prima facie evidence of a traffic hazard;
 4. An invasive vegetation competitive with, and destructive to, native vegetation and desired landscape and garden plants; or
 5. A regionally abundant weed of economic importance and which is listed as a noxious weed by Oregon State Department of Agriculture Weed Control Board "B" list and other designated weeds. Of significance, or potential significance, in the Yachats area are the following:
 - a. Canada thistle,
 - b. French broom,
 - c. Gorse,
 - d. Himalayan blackberry,
 - e. Japanese knotweed,
 - f. Poison hemlock,
 - g. Purple loosestrife,
 - h. Scotch broom,
 - i. Waterweed (Elodea),
 - j. Tansy ragwort.
- D. For purposes of this section, "invasive plants within a riparian corridor" are identified as the following:
1. Common Fennel (*Foeniculum vulgare*);
 2. Policeman's Helmet (*Impatiens glandulifera*);
 3. Knotweeds* *Polygonium* species *Elimination only by approved practices;
 4. Old Man's Beard and Silverlace Vine (*Clematis vitalba* and *Polygonum albertii*);

5. Atlantic, Irish and English Ivy (Cultivars *Hedera hibernica* and *Hedera helix*);
 6. Yellow Flag Iris (*Iris pseudacorus*);
 7. Purple Loosestrife and Garden Loosestrife (*Lythrum salicaria* & *Lysimachia vulgaris*);
 8. Butterfly Bush (*Buddleja davidii*);
 9. Reed Canarygrass (*Phalaris arundinacea*).
- E. No owner or person in charge of property shall allow noxious vegetation to be on property or in the right-of-way of a public thoroughfare abutting the property.
- F. An owner or person in charge of property, including any property in the right-of-way of a public thoroughfare abutting the property, shall cut down or destroy noxious vegetation determined by the City to be necessary if it is or to prevent it from becoming a health or fire hazard, or, in the case of weeds or other noxious vegetation, from invading an environment otherwise occupied by native vegetation or ornamental plants not listed as noxious vegetation by a County or State Weed Board.
- G. Questions regarding vegetation identification and methods for the control or eradication of noxious vegetation shall be referred to the Lincoln County Vegetation Management Committee or to the Oregon State Department of Agriculture Weed Control Division, and to the Oregon Revised Statutes, Chapter 570.
- H. No owner or person in charge of property shall allow the uncontrolled growth and accumulation of dead or dormant weeds, brush, high grass, scotch broom, gorse, blackberries or pampas grass to become a fire hazard. This section shall not apply to any of the following:
1. Any maintained landscaped area;
 2. Any crop grown and maintained for lawful agricultural purposes;
 3. Any natural area on publicly owned land of Yachats;
 4. Any property defined as wetlands by proper authority, if control of vegetation would violate federal, state, or county laws; or
 5. Any property defined as a riparian corridor.

Such vegetation shall be removed or eliminated before July 1st of each year, or at any time the City Council declares a period of extreme fire danger, by cutting to a height of no more than six inches and mulching all cut materials. If any owner or person in charge of property does not comply with this subsection, the City may contract with a firm licensed to do business within the City limits to bring the property into compliance as provided in Section **5.08.250**, Summary abatement. The City may recover all costs as provided in Section **5.08.240**, Assessment of costs.

- I. Unless a part of a City-approved natural conditions restoration project, within the first 30 feet of a riparian corridor, nonspecific means, including, but not limited to, chemical sprays, mowers or weed eaters shall not be used to control or remove vegetation.
- J. Any actual costs incurred by the City in enforcing this section, including, but not limited to, summary or other abatement costs pursuant to subsections **B** and **G** of this section, shall become a lien against the property and perfected and recorded as such according to State law.

(Ord. 221, 2001; Ord. 244, 2004; Ord. 283, 2009; Ord. 341, 2016)

§ 5.08.120. Scattering rubbish.

- A. No person shall deposit, on public or private property, rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or a fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling on a public way.
- B. No person shall deposit into public trash, rubbish, debris, or refuse which was generated from a residence or business into public trash receptacles in City parks.
- C. No person shall store or hold trash in such a manner which enables animals, wild or domestic, to scatter trash. No person shall scatter or deposit any food or other attractants on public or private property with the intent of attracting and/or feeding wild animals, including, but not limited to, bears, raccoons, and deer. This section shall not apply to bird feed held in receptacles which are reasonably designed to avoid access by wild animals such as bears, raccoons and deer or scattering food for wild birds which is consumed immediately and in the presence of the person intending to feed the wild birds.
- D. No person shall deposit, on public or private property oceanward of the ocean bluff line, yard debris, lawn clippings, or any form of rubbish, trash or refuse.

(Ord. 174 § 21, 1995; Ord. 240, 2003; Ord. 254, 2005)

§ 5.08.130. Trees.

- A. No owner or person in charge of property that abuts a street or public sidewalk shall permit trees or bushes on the property to interfere with street or sidewalk traffic. An owner or person in charge of property that abuts a street or public sidewalk shall keep all trees and bushes on the premises, including the adjoining parking strip, trimmed so that any overhanging portions are at least eight feet above the sidewalk and at least 12 feet above the roadway.
- B. No owner or person in charge of property shall allow a partially or entirely dead or decaying tree to stand if it is a hazard to the public or to persons or property on or near the property.

(Ord. 174 § 22, 1995)

Noxious weeds and invasive plants in the Yachats area

Mar 15, 2025

This list may be revised from time to time, depending upon new data from sources listed below.

A regionally abundant weed of economic importance and which is listed as a noxious weed by Oregon State Department of Agriculture Weed Control Board on the A (T) or "B" list and other designated weeds as identified by Yachats Trails site, Lincoln County Vegetative Management, Lincoln Soil and Water Conservation District or Field Guide to Weeds of the Oregon Coast (Institute of Applied Ecology – Funding from Oregon Bureau of Land Management). Of significance in the Yachats area are the following:

- A. Canada thistle
- B. French, Scotch, and Spanish broom
- C. Gorse
- D. Himalayan blackberry
- E. Japanese knotweed
- F. Poison hemlock
- G. Waterweed (Elodea)
- H. Tansy ragwort
- I. Hedge and Field Bindweeds (Morning Glory) (Calystegia sepium and Convolvulus arvensis)
- J. Common Fennel (Foeniculum vulgare);
- K. Policeman's Helmet (Impatiens glandulifera);
- L. Knotweeds* Polygonium species *Elimination only by approved practices;
- M. Old Man's Beard and Silverlace Vine (Clematis vitalba and Polygonum albertii);
- N. Atlantic, Irish and English Ivy (Cultivars Hedera hibernica and Hedera helix);
- O. Yellow Flag Iris (Iris pseudacorus);
- P. Purple Loosestrife and Garden Loosestrife (Lythrum salicaria & Lysimachia vulgaris);
- Q. Butterfly Bush (Buddleja davidii);
- R. Reed Canarygrass (Phalaris arundinacea).
- S. Italian Arum (Arum italicum)
- T. English Holly (Ilex aquifolium)
- U. Queen Anne's lace (Daucus carota)
- V. Robert geranium (Geranium robertianum)
- W. Pampas Grass (Cortaderia selloana)
- X. Crocosmia/Montbretia (Crocosmia crocosmiiflora)
- Y. Orange and Late Cotoneaster (Cotoneaster franchetii and Cotoneaster lacteus)
- Z. English and Spanish Laurel (Prunus laurocerasus and lusitanica)

Noxious weeds in YMC Revision (Berdie) V1

Text of Draft Ordinance	Notes/comments
<p>Section 5.08.110 Noxious and invasive vegetation.</p> <p>A. No owner or person in charge of real property shall permit, grow or allow noxious vegetation to grow on the property. Nor shall any owner or person in charge of real property permit listed invasive plants within a riparian corridor, as described in Section 9.52.070 of this code (hereafter riparian corridor). Noxious vegetation and invasive plants within a riparian corridor are declared a nuisance, and their presence is non-conforming with the Yachats Comprehensive Plan. Some species of noxious vegetation are declared public health hazards.</p> <p>B. The owner or person in charge of real property shall abate noxious vegetation from the property, or invasive plants within a riparian corridor and do so in a manner that will prevent noxious vegetation from going to seed or propagating by other means. The owner and the person in charge shall be jointly and severally liable for the cost of abatement and may be liable for personal injury or damage resulting from the presence of noxious vegetation on their property.</p> <p>C. For purposes of this section, “noxious vegetation” is defined as: introduced “weed” species and native vegetation that is, or is likely to become:</p> <ol style="list-style-type: none">1. A health hazard, including plants such as Scotch Broom and others that may seasonally cause severe allergic reactions, and plants such as Poison Hemlock which is extremely toxic if ingested. Any such vegetation shall be prima facie evidence of a health hazard;2. A fire hazard, including native and introduced grasses, bushes, weeds or other noxious vegetation allowed to grow in vacant lots or other open areas. Any such vegetation shall be prima facie evidence of a fire hazard;3. A traffic hazard, including the presence of trees, bushes, or other tall vegetation that impairs the view of the public thoroughfare, street corner, path, or trail making use of the thoroughfare hazardous. Any such vegetation shall be prima facie evidence of a traffic hazard;4. An invasive vegetation competitive with, and destructive to, native vegetation and desired landscape and garden plants; or5. A regionally abundant weed of economic importance and which is listed as a noxious weed by Oregon State Department of Agriculture Weed Control Board on the A (T) or “B” list and other designated weeds as identified by Yachats Trails site, Lincoln County Vegetative Management, Lincoln Soil and Water Conservation District or Field Guide to Weeds of the Oregon Coast (Institute of Applied Ecology – Funding from Oregon Bureau of Land Management).6. Noxious weeds and invasive plants of significance in the Yachats area are linked here. <p>D. No owner or person in charge of the property shall allow noxious vegetation to be on the property or in the right-of-way of a public thoroughfare abutting the property. ???</p> <p>E. An owner or person in charge of property, including any property in the right-of-way of a public thoroughfare abutting the property, shall cut down or destroy noxious vegetation determined by the City to be necessary if it is or to prevent it from becoming a health or fire hazard, or, in the case of weeds or other noxious vegetation, from invading an environment otherwise occupied by native vegetation or ornamental plants not listed as noxious vegetation by a County or State Weed Board. ???</p> <p>F. Questions regarding vegetation identification and methods for the control or eradication of noxious vegetation shall be referred to the Lincoln County Vegetation Management Committee or to the Oregon State Department of</p>	

Agriculture Weed Control Division, and to the Oregon Revised Statutes, Chapter 570.

- G. No owner or person in charge of property shall allow the uncontrolled growth and accumulation of dead or dormant weeds, brush, high grass, scotch broom, gorse, Himalayan blackberries or pampas grass to become a fire hazard. This section shall not apply to any of the following:
1. Any crop grown and maintained for lawful agricultural purposes;
 2. Any natural area on publicly owned land of Yachats;
 3. Any property defined as wetlands by proper authority, if control of vegetation would violate federal, state, or county laws.
 4. Such vegetation shall be removed or eliminated by cutting to a height of no more than six (6) inches and mulching all cut materials. If any owner or person in charge of property does not comply with this subsection, the City may contract with a firm licensed to do business within the City limits to bring the property into compliance as provided in Section [5.08.250](#), Summary abatement. The City may recover all costs as provided in Section [5.08.240](#), Assessment of costs.
- H. Unless a part of a City-approved natural conditions restoration project, within the first thirty (30) feet of a riparian corridor, nonspecific means, including, but not limited to, chemical sprays, mowers or weed eaters shall not be used to control or remove vegetation.
- I. Any actual costs incurred by the City in enforcing this section, including, but not limited to, summary or other abatement costs pursuant to subsections B and G of this section, shall become a lien against the property and perfected and recorded as such according to State law. (Ord. 341, 2016; Ord. 283, 2009; Ord. 244, 2004; Ord. 221, 2001)

Open Questions:

1. Should specific plants be listed in the ordinance or referred to in an appendix or from a separate source?
2. If externally listed, who is the authority - how are plants determined and justified to be labeled as noxious weeds?.
3. Should a slope designation exemption be added?
4. Or, should specific slopes or other conditions, upon appeal, require a plan (below)
5. Should we add a delay with a plan for remediation: e.g., 3 or 5 years and then state who must approve the plan etc.
6. Should there be a funding source for private remediation? Educational resources?
7. Clarity around "right-of-way" versus street plats, plated utility easement, etc
8. Is **July 1** for removal appropriate? (Leaves limited time for enforcement, smooth work load for code enforcement, some lower plants are obscured by then, etc..)
9. Would like to see something re. sterile varieties. For example, there are now a few sterile varieties of butterfly bush. There are a few forms of English laurel that are unlikely to flower and thus spread. This would require that the property owner document that they planted one of these varieties.

Note: **July 1st** reference was removed from the body of the draft ordinance

Weed	when	how
Scotch broom	late spring before flower	cut
Gorse	late spring before flower	pull up
Knotweed	spring	smother (takes several years)
Poison Hemlock	Late fall, early spring - all summer	pull up - mow repeatedly
Canadian Thistle	all summer long	mow
Tansy Ragwort	spring	NO MOW or Compost! - pull and bag
Purple Loosestrife	summer during flowering	cut or pull - if seeds, catch and discard
Himalayan Blackberry	late spring	cut - takes several years
English Ivy	summer when hot and dry	pull up

Herbs



**CITY OF YACHATS
PLANNING WORK SESSION & REGULAR
COMMISSION**

DRAFT MEETING SUMMARY MINUTES

City Hall, 441 Hwy 101 N, OR 97498

Tuesday, May 20, 2025

WORK SESSION

- 1. Planning Work Session Commission Meeting 2:00 pm**
- 2. Call to Order**
- 3. Roll Call**

Committee Members	P/A
Marc Sakamoto, Chair	P
Craig Hogan	P
Loren Dickinson	p
Mary Aebi, Vice Chair	P
Jolene Gosselin	P

Staff Members	
Bobbi Price, City Manager	Lorraine Barrett, Admin
Dan Fleishman, OCWCOG, Planner	

Audience

II. City of Yachats Code Update Discussion - Dan Flashman, the Interim City Planner, reviewed the attached document, which outlines several proposed amendments aimed at improving regulatory clarity and addressing current urban challenges; the need for precise definitions,

particularly for "single-room occupancy" housing, which had not been clearly defined in the existing code; regulation specifics for manufactured housing; the definition of "front lot line" for properties with two parallel street frontages. It was suggested that the front boundary should be determined by the street that provides vehicular access, clarifying potential ambiguities in the current code and ensuring consistency in development practices. Additional discussions and refinement of these amendments would be needed in future meetings to finalize the code changes.

Adjourned Planning Commission Work Session 2:55 pm

REGULAR MEETING

- I. Meeting Called to Order at 3:00 pm by Chair Marc Sakamoto**
- II. Announcements and Correspondence - None**
- III. Citizens' Concerns - None**
- IV. Public Hearing**

- a. Michael Ornelas Variance2-VAR-PC-25

Mr. Ornelas presented testimony to support his application for a variance regarding the minimum lot depth standard.

The commission heard from planning staff, the applicant, and other interested parties. After public testimonies, the Chair closed the hearing, deliberated, and decided whether to approve, approve with conditions, or deny the application. One commissioner raised a concern about not receiving a notice regarding the hearing, but stated that she could remain impartial despite being within the notification area; a stipulation that says that any future lot would not infringe on the yard requirements of the existing residents, and encourage the designer to make every effort to put something together that the neighbors can live with.

Motion:	The move to approve the application for a variance submitted by Michael Ornelas regarding the minimum lot depth standard Number 2 - VAR-PC-25, in the R1 district, based on the findings that the application is in conformance with the City's comprehensive plan and meets the applicable standards outlined in the Yahas Municipal Code.
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Ayes:	Hogan, Aebi, Dickinson, Gosselin, and Sakamoto		Nays:0	Absent: 0	Abstained: 0
Passed:	5/0				

V. Ongoing/New Business

- a. Jolene Gosselin is on the board for Habitat for Humanity in Lincoln County, and they have a request. They are looking at combining Northwest Coastal Housing, the Housing Authority, and Habitat for Humanity to identify housing needs. Jolene will contact the City Manager for further discussion.
- b. Commission Chair meeting -During the Commission Chair's meeting, it was reported that the library's construction is on schedule, with a new website nearing completion; Public Works focused on emergency medical support planning, including preparations for Conex boxes and potential evacuations; discussed provisions for emergency housing and food; Parks & Commons are progressing with noxious weed regulations and wetland signage while continuing work on the Master Plan; and budget meetings are complete, with finalized numbers to be presented to the City Council for approval.
- c. Planners Report - Dan Fleishman mentioned the COG agreement with the City is to provide services until June 30th.

The commission's conversation primarily discusses upcoming plans and applications related to city planning and variances; Dan mentions an upcoming trip with his spouse across the country but indicates he can still be available for meetings and communication. Commission members were concerned about a pending application that has not yet been submitted but is expected for a project called "quiet water"; update on library connectivity and ongoing issues with the wetland inventory, although no new information has surfaced; review for these fees will be forthcoming; including a variance topic in the city newsletter is proposed,

Adjourn City Council Meeting 4:03 pm
Minutes prepared by Kimmie Jackson, Recorder

PLANNING COMMISSION ISSUES LIST as of 07/15/25

Item #	Description	Assigned	Due Date	Status
1	Schedule next training session	KG		<p>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.</p>
2	Complete Wetland Inventory	KG		<p>07/30: Per BP,KG still responding to questions from DSL. 05/20: Per BP should be completed in 30 days. 03/18: KG has received questions from DSL regarding inventory. 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.</p>

5	Amend Title 9 for Housing Implementation Plan			<p>Cascadia Partners. 02/18/25: Contact changed at Cascadia. KG to forward questions to new contact. 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.</p>
6	Revise/update City Comprehensive Plan			<p>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.</p>
7	Update application fees	KG		<p>05/20: Fees update completed. PC to review.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.</p>

8	Ordinance for ADU's			<p>Cascadia Partners. 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.</p>
11	Consolidate minor updates to ordinances			<p>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.</p>

12	Content for city social media			06/17: Zoning variances suggested as next topic. 05/20: MA to work with MS on topics. 03/17 Content on ADU submitted to BP. 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			05/20 Final still not included in Municipal Code. 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		CLOSED. 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			Cascadia Partners. 03/26: To be included in code updates by Cascadia. 12/10: Needs review to update to current state law.
16	Define SRO	DF		06/17 : DF provided based on state reg.
17	Update Setback code	DF		06/17: General agreement that should be a variance.
18	Define Family Unit	DF		06/17: DF provided suggestion. May also be addressed by Cascadia.

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 DLCDC 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 DLCDC with approved changes. 5/21: Final draft approved by commission. KG to advise DLCDC of changes. 05/14: At DLCDC 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 DLCDC.

