

1. 2:00 P.M. Agenda

Documents:

[2025-08-19 Planning Commission WS And Regular Agenda.pdf](#)

2. Work Session Meeting Material

Documents:

[ORS 197A.425 ADU.pdf](#)

3. 2:00 P.M. Meeting Materials

Documents:

[Dickinson Recusment Re- Fletcher.pdf](#)  
[Fletcher - Variance Application.pdf](#)  
[Fletcher - Staff Report.pdf](#)  
[Fletcher - Site Plan.pdf](#)  
[Fletcher - Nyhus Survey 2021.Pdf](#)  
[Fletcher - QW DRC Comments.pdf](#)  
[Fletcher- Written Testimony.pdf](#)  
[Ornelas Partition Setup.pdf](#)  
[Ornelas Staff Report 081925.Pdf](#)  
[Ornelas Final Draft Order.pdf](#)  
[Planning Commission Issues List.pdf](#)



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

**Tuesday, August 19, 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. Oregon ADU Code**

**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. 3-VAR-PC-25 FLETCHER
- V. Ongoing Business**
  - a. Ornelas Partition Final Plat
- VI. New Business**
- 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 the ZOOM Meetings. This meeting will be audio-taped. All items to be considered by the Commission must be submitted to City Hall no later than one week before the meeting. The minutes of this meeting are the Audio Tape which will be added to the packet after the meeting within 48 hours. Per ORS 192.630, the City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541- 547-3565 or Oregon Relay 1- 800-735-2900 (TDD) two days in advance. POSTED 08/13/2025 By: Neal Morphis, City Clerk

# ORS 197A.425

## Accessory dwelling units

- [Text](#)
- [Annotations](#)

(1) Intentionally left blank —Ed.

(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection:

(A) “Accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

(B) “Reasonable local regulations relating to siting and design” does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.

(2) Subsection (1) of this section does not prohibit local governments from regulating vacation occupancies, as defined in [ORS 90.100 \(Definitions\)](#), to require owner-occupancy or off-street parking. [Formerly subsections (5) and (6) of 197.312]

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Source: Section 197A.425 — Accessory dwelling units, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors197A.html](https://www.oregonlegislature.gov/bills_laws/ors/ors197A.html) (accessed May 26, 2025).

LUBA did not err in finding that provision's requirement for cities and counties over certain size to allow at least one accessory dwelling unit (ADU) for each detached single-family dwelling within urban growth boundary permitted local regulation only of where ADUs are sited on lot, and did not permit local regulation of where ADUs are sited within areas zoned for detached single-family dwellings. *Kamps-Hughes v. City of Eugene*, 305 Or App 224, 470 P3d 429 (2020)

**From:** [Loren Dickinson](#)  
**To:** [Marc Sakamoto](#); [Kimmie Jackson](#); [Katherine Guenther](#)  
**Subject:** August 19th PC Session  
**Date:** Wednesday, August 13, 2025 5:53:24 PM

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Marc and Katherine,

I just received notification of the August 19th PC session, and found that the Fletcher Variance application will be heard. Because I know that the PC will need a quorum for that action, I am notifying the City that I will be recusing myself from sitting in that action because of my months long activities related to it as chair of the Quiet Water DRC. That renders me unable to remain unbiased for the issue. I will be at the session for all other issues.

Loren Dickinson  
Planning Commission

LOREN DICKINSON

Land Use Application

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

Fee:  
Date Received: \_\_\_\_\_

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

Applicant: Jonathan Fletcher Phone: ( ) \_\_\_\_\_

Address: 330 Colleen Place

City: Costa Mesa State: CA Zip: 92627

Relationship to property: Owner  
(Owner, Contract Purchaser, etc.)

Legal Description: 14-12-26-CC-6900 Current Zone: R1

Lot Dimensions: Irregular Area: 0.05 acres Flood Zone: AE

Natural Hazard: \_\_\_\_\_ Topography: Level

Directions to Property: From Highway 101, east on Lori Lane, right on Combs

Previous Planning Actions on Property: None

Reason for Request: Addition of bedroom and bath

Existing Structures on Property: Single-family residence

Proposed Use and Structures: Same

Current Utilities and Providers: Water/sewer: City of Yachats, Electricity: Central Lincoln PUD

Anticipated Date of Development:

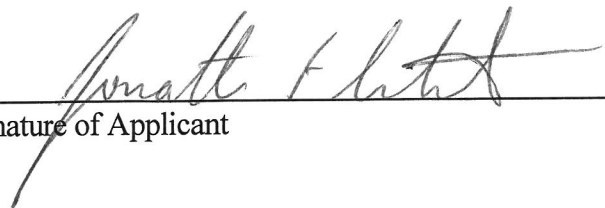
Land Use Application

**Supplemental Required Information**

Attachments to Application (check all that apply)

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

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

  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Property Owner (if other than applicant)

As is the case with many current Yachats residents, we discovered this magical place on a camping trip in 2016. By the summer of 2018 we had purchased a small cabin by the river in Quiet Water. It has been our bug out place, our refuge and a place in which we look forward to retirement and the next phase of our lives.

We absolutely love our funky cabin by the river. Its packed with charm and accommodates the slower pace we have been seeking. There is one issue we see on the near horizon that might cause us to leave our beloved space and this is why we are seeking a variance to the building code. Several years ago my wife Cheryl had a stroke. It has affected her right side leaving her with difficulty walking and without the use of her right arm. Rehab has been continuous but very slow. Stairs are her nemesis and becoming more daunting as the years progress. For those not familiar with the Quiet Water cabins, the main and only bedroom is at the top of a steep twisting staircase. They are doable for now, but each trip up and down is challenging at best and dangerous at worst.

Our plan for the cabin includes adding a downstairs bedroom for our use so the stairs are no longer an impediment. As you can see, the bedroom takes up part of our deck and extends toward our neighbors to the south. In order to make the deck usable, we are seeking to extend it 4 feet east and 4 feet north. This will allow us to add a set of stairs down to the north side of the cabin. The outside corner of the new deck would touch our property line but not extend beyond it. Our new deck would be roughly 14x14ft. For reference, most cabins in Quiet Water have decks that measure 15x18ft. Without this increase, our deck would be smaller than 10x10. Too small in our estimation to truly take advantage of our meadow setting next to the river and the essential connection to nature which all Quiet Water cabins possess.

The enclosed bedroom fits within the acceptable building envelope allowed by both Quiet Water and the county. The only variance we are seeking is for our deck to be extended to touch our property line. In both the eastern direction and northern direction, our property is surrounded by common area and will not directly affect our neighbors.

As you can see, our property is an oddly shaped trapezoid and our home does not sit evenly to our property lines in any direction. Finding a workable solution to our needs has been a challenge and we feel this is our best and probably only solution.

In addressing section 9.80.020, Circumstances for granting a variance, of the Zoning and Land Use Code, I would like to go point by point.

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control;

As mentioned above, our property is irregularly shaped with the cabin sitting such that there are no even boundaries on any side or corners.

- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;

As designed, the deck is an integral and essential part of life in Quiet Water. Our addition, necessary due to my wife's disability, would reduce the size of the deck and diminish our ability to fully enjoy our beautiful riverside setting.

- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;

The variance, allowing the deck to extend towards the common area, will not effect the view or usability of the common area and or the river for other Quiet Water residents.

**D. The variance requested is the minimum variance which would alleviate the hardship;**

The variance requested does not extend beyond our property line, and the resulting deck will remain smaller than the majority of decks in Quiet Water.

**E. The hardship asserted as a basis for the variance does not arise from a violation of the zoning ordinance.**

In my estimation, the hardship leading to our request was created by oversight in the original Quiet Water development. Of the 32 meadow cabins built in the early 1980's, only one was constructed as a single story. Overlooked was a segment of the population who, due to mobility issues, cannot now or in the future use stairs to reach the bedroom.

Thank you for your time and consideration.

## STAFF REPORT

### Variance Application

APPLICANT: Jonathan Fletcher

#### A. REPORT OF FACTS

1. **Property Location:** The subject property is located at 272 Combs Circle and is described on Lincoln County Assessor's Map 14-12-26-CC as Tax Lot 6900.
2. **Applicant's Request:** The applicant is requesting a variance to reduce a side and rear setback in order to replace an existing deck with a new deck and bedroom/bathroom addition. The subject property is located in Phase One of the Quiet Water Planned Unit Development and setback requirements differ from the City's R-1 standards. The Quiet Water setback standards are detailed in Section B3 below.
3. **Zoning:** Residential Zone R-1
2. **Plan Designation:** Residential
3. **Lot Size and Dimensions:** The subject property is 0.05 acres, irregularly shaped, with approximate dimensions of 41.5' x 59' feet.
4. **Existing Structures:** Single-family residence
5. **Topography and Vegetation:** The lot is flat.
6. **Surrounding Land Use:** The subject property is located in the Quiet Water Planned Unit Development. Surrounding uses are all single-family residential homes on either "cluster lots" or standard platted lots.
7. **Utilities:** Water and sanitary sewer – City of Yachats. Electric – Central Lincoln PUD.
8. **Development Constraints:** Special Flood Hazard Area Zone AE.

#### B. EVALUATION OF REQUEST

1. **Applicant's Proposal:**  
The applicant submitted the required variance application form and fee, a narrative addressing the relevant criteria and a site plan.

## 2. Relevant Yachats Municipal Code (YMC) Criteria:

### **Yachats Municipal Code Chapter 9.60 Planned Unit Development**

#### **Section 9.60.010. Purpose.**

The purpose of the P.U.D. is to permit the application of new technology and greater freedom in design in land development than may be possible under a strict interpretation of the provisions of this title. The use of these provisions is dependent upon the submission of an acceptable plan and satisfactory assurance it will be carried out. Such plan should accomplish substantially the same objectives as are proposed by the comprehensive plan for the area.

#### **Section 9.60.020. General requirements.**

- A. In the case of a planned unit development the regulations contained in this chapter may, if necessary, be modified as they apply to streets, blocks and lots when adequate access to major thoroughfares, adequate light and air circulation, recreational areas, open space and lot area per dwelling are provided.
- B. A planned unit development may be established in any zone.
- C. A planned unit development shall have a minimum of two contiguous acres.
- D. A planned unit development may include any uses permitted outright or conditionally in the zone in which it occurs. Where the underlying zone is residential, any residential uses permitted in R-1 through R-4 zones may be permitted when compatible with each other and harmonious with adjacent uses.
- E. Overall residential density shall be as provided for in the applicable use zone or zones. Density shall be computed based on the total gross land area of the subject property, excluding area devoted to commercial or other nonresidential uses allowed in the underlying zone, but including street and private common areas.
- F. Yards, setbacks, lot area, lot coverage and similar dimensional requirements may be modified upon application to and approval by the Planning Commission, consistent with the design objectives of the proposed development.
- G. No building shall exceed a height of 30 feet except:
  - 1. That the height increase can be justified on the basis of unique lot characteristics, topographical conditions or other natural features; and/or
  - 2. That the height increase can be justified on the basis of amenities provided or concessions made by the developer for which some bonus incentive is warranted.
- H. At least 40% of the land area will be dedicated or reserved as usable common outdoor living and open space land in residential, recreational or combination residential-

commercial development, exclusive of required streets.

- I. All electric and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits and similar facilities shall be placed underground by the developer unless waived by the Planning Commission.
- J. The Planning may require easements necessary for orderly extension of public utilities to future adjacent developments.
- K. Lands and structures not dedicated to the public but reserved for use by owners or tenants and their guests must be subject to an association of owners or tenants created to form a nonprofit corporation under the laws of the State of Oregon. The association shall be formed and continued for the purpose of maintaining such common areas and structures.
- L. Developments shall provide for safe, well-marked pedestrian ways that do not conflict with vehicular traffic.

**Section 9.60.030. Procedure for proposing P.U.D.**

- A. Preliminary Plan Application. An applicant shall submit a preliminary plan of a planned unit development to the City. The preliminary plan shall include the following data:
  - 1. The name, address and phone number of the land owner and developer;
  - 2. The tax lot number and the section, township and range in which the property is located;
  - 3. The date, north point and scale of the drawing;
  - 4. A vicinity sketch showing the location of the P.U.D. in relation to known landmarks in the City;
  - 5. The approximate location and dimensions of all proposed boundary lines;
  - 6. Approximate area of the property being subdivided and each parcel;
  - 7. Name, location and width of all existing and proposed roads, rights-of-way and easements;
  - 8. Existing zoning of the property;
  - 9. Existing and proposed uses of the property;
  - 10. Approximate location and use of all existing structures to remain on site. Indicate those to be removed;
  - 11. Any limitations to development; i.e., topography, areas subject to flooding, geologic hazards, drainage channels on property, etc. In areas of 12% or greater

slope, a geological report shall be submitted, in accordance with provisions of Section 9.52.050;

12. Proposed use, location, dimensions, height and type of construction of all buildings. Proposed number of dwelling units, if any, to be located in each building;
  13. Proposed circulation pattern including the location, width and surfacing of streets, private drives, and sidewalks; the location of any curbs; the status of street ownership; and the location of parking areas and the number of spaces therein;
  14. Proposed use of all open spaces including a plan for landscaping;
  15. Proposed grading and drainage pattern;
  16. Proposed method and plan for provision of water supply, sewage disposal, and electrical facilities;
  17. Relationship of the proposed development to the surrounding area and to the comprehensive plan.
- B. Review of Preliminary Plan by Other Departments. The City Planner shall distribute copies of the preliminary plan for review and comment to the Yachats Department of Public Works; Yachats Rural Fire Protection District; Oregon Department of Transportation, if the proposed development is within 1,000 feet of a state highway; and to any other appropriate federal, state or local agencies. Officials of these agencies shall have a minimum 14 days for review prior to the Planning Commission meeting.
- C. Approval of Preliminary Plan.
1. Preliminary plans shall be processed and decisions made in accordance with the schedule identified in the most current Oregon Revised Statutes. The Planning Commission may grant time extensions upon written request by the applicant prior to expiration of the approval or conditional approval.
  2. If the preliminary plan for the planned unit development is approved, the Planning Commission (or City Council in the case of appeal) may attach conditions it finds necessary to carry out the purpose of this title. These conditions may include, but are not limited to, the following:
    - a. Increasing the required setbacks;
    - b. Limiting the height of buildings;
    - c. Controlling the location and number of vehicular access points;

- d. Establishing new streets, increasing the right-of-way or roadway width of existing streets, requiring curbs and sidewalks, and, in general, improving the traffic circulation, in accordance with recommendations given by the Yachats department of public works and/or the public works and streets commission;
- e. Increasing the number of parking spaces and improving design standards for parking areas;
- f. Limiting the number, size, location and lighting of signs;
- g. Designating sites for open space and recreational development, and, in general, improving landscaping requirements;
- h. Requiring additional view-obscuring screening or fencing;
- i. Requiring performance bonds to assure that the planned unit development is completed as approved within the time limit as established by the Planning Commission;
- j. Requiring appropriate contractual agreement with the county or with special districts to assure development of streets, curbs, gutters, sidewalks, and all utilities to acceptable standards.

D. Submitting the Map.

1. Within two years after the approval of the preliminary plan, a map of the P.U.D. shall be submitted to the Planning Commission for approval. The map shall be a survey of the P.U.D. or a photographic copy thereof. Maps shall be in substantial conformity to the approved preliminary plan and conditions of approval.
2. In addition to the information as required on the preliminary plan the following information shall be provided:
  - a. Accurate legal description of all parcels and roads;
  - b. The deed dedicating to the public all common improvements, including, but not limited to, streets and roads, the donation of which was made a condition of approval of the preliminary plan for the P.U.D.;
  - c. A copy of all protective deed restrictions;
  - d. Street and drainage construction plans;
  - e. The certification, performance agreement or statement regarding the availability of water and sewerage services as provided in Section 9.60.040;
  - f. The location of the approved site for the septic system if applicable.

- E. Map Approval. Within thirty days of the receipt of a P.U.D. map as provided in this title, the City staff shall refer the map to the Planning Commission for a decision. The applicant shall be notified in writing of the time and place of the Planning Commission meeting. Unless appealed, the decision shall become effective on fifteen days after rendered. When the approval becomes effective, the City Planner shall endorse his or her approval on the map. The map shall then be recorded in the offices of Lincoln County. Approval of the submitted map shall be considered as final when a copy of the recorded map is provided to the City.

**Section 9.60.040. Development of a P.U.D.**

- A. Parks and Open Spaces. The Planning Commission may require the developer to provide area for park and recreation purposes. The area(s) shall be of a design and location acceptable to the Planning Commission, based on suitability for park and recreation purposes.
- B. Partial Development. If a proposed P.U.D. area includes only part of a tract, the Planning Commission may require a sketch of the tentative layout of lots, streets, and open space in the remainder of that tract.
- C. Duplication of Names. The official name of the P.U.D. shall be approved by the Lincoln County Surveyor's Office.
- D. Water. All lots in the P.U.D. shall be served by a public water system. No plat or map of a P.U.D. shall be approved unless the City has received and accepted:
  - 1. A certification by the Public Works Director that water will be available from the nearest point of supply; or
  - 2. A performance agreement in accordance with Section 9.56.020.G that a water supply system will be installed by or on behalf of the developer to the boundary line of each and every lot or parcel in the P.U.D.
- E. Sewer. No plat or map of a P.U.D. shall be approved unless the City has received and accepted:
  - 1. A certification by the Public Works Director that sewage service will be available at the nearest point of collection; or
  - 2. A performance agreement in accordance with Section 9.56.020(G) that sewage disposal lines will be installed by or on behalf of the developer to the boundary line of each and every lot or parcel depicted in the proposed P.U.D.;
  - 3. Where sewerage service is not available, the Department of Environmental Quality or county health department shall approve the proposed use of the land for the

P.U.D. A statement that public sewerage service is not available and that the proposed method of sewage disposal has been approved will be provided to the purchaser of each lot or parcel in the proposed P.U.D. A copy of any such statement signed by the developer and endorsed by the Planning Commission chair shall be filed by the developer with the real estate commissioner.

- F. Performance Agreement. If all improvements required by the Planning Commission and this title are not completed according to specifications as required herein prior to the time the plat or map is duly submitted for consideration and approval, the Planning Commission may accept in lieu of the completion of improvements a performance agreement or bond executed by the developer and his or her surety company with the City Council conditioned upon faithful performance and completion of all such improvements within a period of time stated in such performance agreement and approved by the Planning Commission. The performance agreement or bond shall be in accordance with Section 9.56.020(G).
- G. Appeals. See Section 9.88.120.

#### **Yachats Municipal Code Chapter 9.80 Variances**

##### **Section 9.80.010. Authorization to grant or deny variances.**

The Planning Commission may authorize variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this title would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this title.

##### **Section 9.80.020. Circumstances for granting a variance.**

A variance may be granted only in the event that all of the following circumstances exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;
- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict

with the objectives of any city plan or policy;

- D. The variance requested is the minimum variance which would alleviate the hardship;
- E. The hardship asserted as a basis for the variance does not arise from a violation of the zoning ordinance.

**Section 9.80.030. Variance procedure.**

The following procedures shall be followed in applying for action on a variance:

- A. A property owner may initiate a request for a variance by filing an application with the City Recorder, using forms prescribed pursuant to Section 9.88.040. The application shall be accompanied by a site plan drawn to scale showing the condition to be varied and the dimensions and arrangement of the proposed development. The City Council or Planning Commission may request other drawings or material essential to understanding of the variance.
- B. If the request for a variance meets all the requirements of this title, the City Recorder shall set a time for a public hearing before the Planning Commission on the request within 40 days from the filing thereof and shall cause notice to be given in accordance with 9.88.060.
- C. At the conclusion of the public hearing the Planning Commission may approve or deny the request, based on findings which address applicable variance criteria, pursuant to Chapter 9.88.

**Section 9.80.040. Time limit on a variance.**

Authorization of a variance shall be void after one year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year, on request.

**3. Quiet Water Setback Standards (Quiet Water Phase One CC&Rs)**

4.2 Conditions pertaining to "cluster lots":

- 4.2.1 As to Lot 20, Block 3 QUIET WATER only, there shall be no front side or rear yard setbacks.
- 4.2.2 The minimum side yard setback will be five feet with a minimum separation of two feet for every three feet of height of the dwelling unit as defined by the Uniform Building Code adopted by the State of Oregon.
- 4.2.3 Minimum front yard setbacks will be four feet from the property line for the residential dwelling.
- 4.2.4 The combined front and back yard setbacks will be a minimum of ten (10) feet.

- 4. **Public Testimony Received:** At the time this staff report was prepared, the City had received one letter of written testimony (Tweeto-Johnson).
- 5. **Public Agency Comment:** None

**C. STAFF ANALYSIS**

**1. Quiet Water Setbacks**

The Quiet Water setbacks (see B3 above) reference the distance from the property line to the residential dwelling, not from the property line to the nearest structural element (stairs, decks, etc.). By contrast, the City measures the setback from the property line to any structure 8" or more above grade. If the setback is measured to the edge of the residential dwelling only, the applicant is asking for little or no deviation from the standard. If we use the City's interpretation (measure to deck/stairs), it's a little more substantial.

Setback Measured to Dwelling

	Front	Rear	Side	Side
Required	4'	<=6'	5'	5'
Existing	8.1'	1.9'	5.6'	8.5'
Proposed	8.1'	1.9'	5.6'	8.5'

Setback Measured to Nearest Structural Element

	Front	Rear	Side	Side
Required	4'	<=6'	5'	5'
Existing	3.8'	4.3'	8.4'	8.5'
Proposed	3.8'	0'	8.4'	4.6'

**2. Circumstances for Granting a Variance**

A variance may be granted only in the event that five circumstances exist. It is appropriate for the Planning Commission to consider each circumstance individually. Each circumstance for granting a variance is identified below and followed by the applicant's response and/or staff analysis.

YMC Section 9.80.020 says:

A variance may be granted only in the event that all of the following circumstances exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title,

topography, or other circumstances over which the applicant has no control;

Applicant's Response: As mentioned above, our property is irregularly shaped with the cabin sitting such that there are no even boundaries on any side or corners.

- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;

Applicant's Response: As designed, the deck is an integral and essential part of life in Quiet Water. Our addition, necessary due to my wife's disability, would reduce the size of the deck and diminish our ability to fully enjoy our beautiful riverside setting.

- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;

Applicant's Response: The variance, allowing the deck to extend towards the common area, will not effect the view or usability of the common area and or the river for other Quiet Water residents.

*Staff Response: The two sides of the subject property impacted by the requested setback reduction abut Quiet Water common area (open space). One of the primary reasons for setbacks is to ensure adequate clearance for firefighting personnel/equipment. No negative impact would be caused by the applicant's proposal.*

- D. The variance requested is the minimum variance which would alleviate the hardship;

Applicant's Response: The variance requested does not extend beyond our property line, and the resulting deck will remain smaller than the majority of decks in Quiet Water.

- E. The hardship asserted as a basis for the variance does not arise from a violation of the zoning ordinance.

Applicant's Response: In my estimation, the hardship leading to our request was created by oversight in the original Quiet Water development. Of the 32 meadow

cabins built in the early 1980's, only one was constructed as a single story. Overlooked was a segment of the population who, due to mobility issues, cannot now or in the future use stairs to reach the bedroom.

*Staff Response: There are no zoning ordinance violations.*

**D. CONCLUSIONS**

If the request is denied, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings for adoption. If the request is approved, staff offers the following recommended conditions of approval, which may be added to or amended at the Commission's discretion:

1. Development shall be in accordance with Quiet Water Phase One standards except for the approved variance.
2. Authorization of this variance shall be void after one year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year, on request.

Submitted by,  
Katherine Guenther  
City Planner

# Fletcher Addition

## Project Directory

**Owner:**  
Jonathan Fletcher  
390 Colleen Place  
Costa Mesa, CA 92627

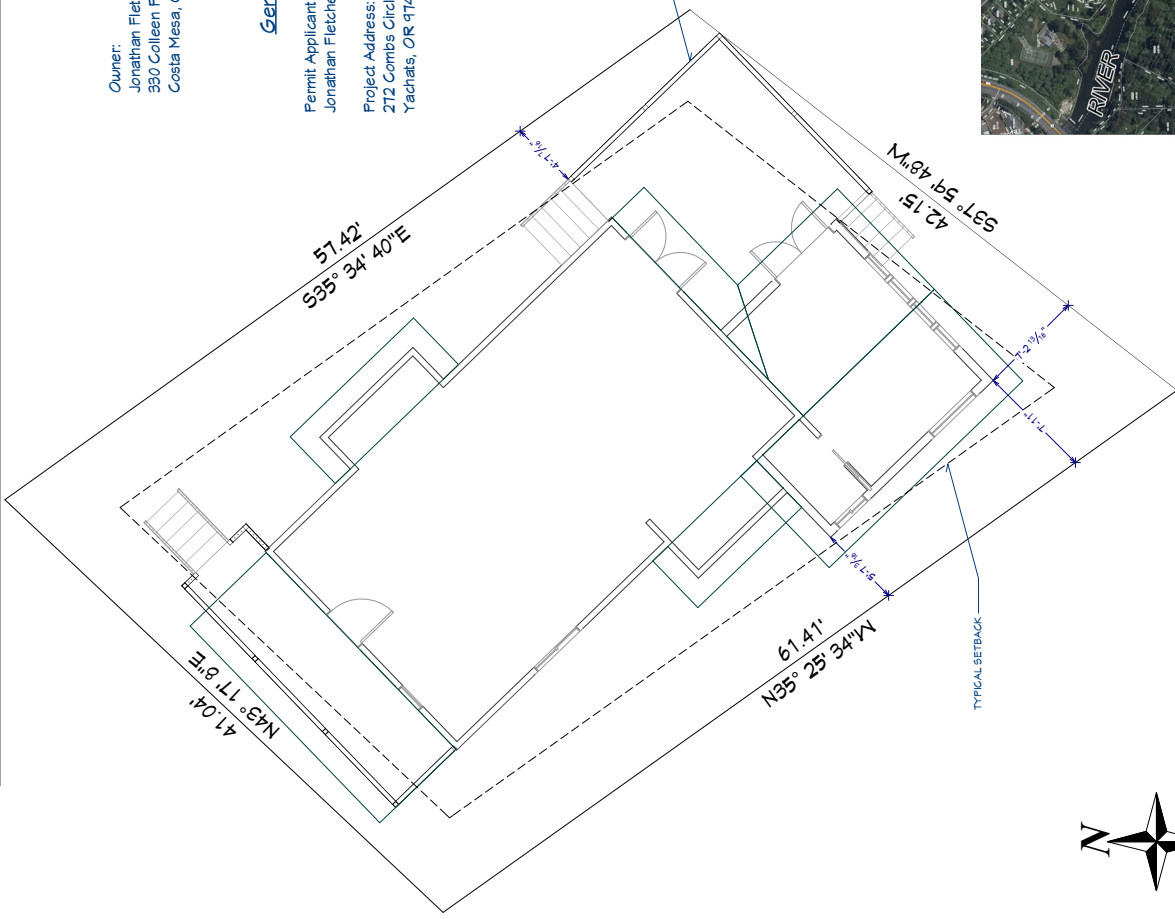
**Designer:**  
Pimplin' Cribs Out West LLC  
Contact: David Bench  
8563 Yachats River Road  
Yachats, OR 97149b

## General and Site Information

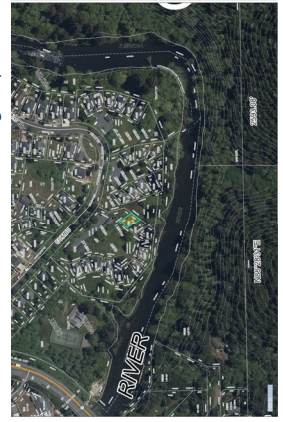
**Permit Applicant:**  
Jonathan Fletcher

**Zoning:**  
R-1

**Authority Having Jurisdiction:**  
City of Yachats/Lincoln County



Taxlot and Vicinity Map



LABEL	TITLE	PAGE DIRECTORY
A1	PERMITS OVERVIEW	
A2	FLOOR PLANS	
A3	FOUNDATION AND FRAMING PLANS	
A4	MECHANICAL, ELECTRICAL, AND PLUMBING PLANS	
A5	PAVING, SEWER, AND SCHEDULES	

### GENERAL NOTES

1. THESE GENERAL NOTES FORMULATE PART OF THE CONTRACT DOCUMENTS USED BETWEEN THE CLIENT & CONTR.
2. CLIENT SHALL BE RESPONSIBLE TO OBTAIN ALL NECESSARY APPROVALS, PERMITS & INSPECTIONS FROM HOMEOWNER COUNCILS, FEDERAL, STATE & LOCAL AGENCIES AND NEIGHBORHOOD ASSOCIATIONS.
3. DESIGNER NEITHER ASSUMES NOR MAKES RESPONSIBILITY FOR ARCHITECTURAL, ENGINEERING, LANDSCAPING, FIRE SAFETY OR OTHER EXTERIOR DOCUMENTS SUBMITTED BY CLIENT TO DESIGNER. DESIGNER SHALL NOT BE LIABLE FOR ERRORS OR OMISSIONS AS A RESULT OF INCORRECT LAYOUTS, DIMENSIONS, MATERIALS, OR OTHER INFORMATION PROVIDED BY CLIENT. DESIGNER SHALL NOT BE RESPONSIBLE FOR ANY UNLAWFUL OR UNAPPROPRIATE DOCUMENTS SUBMITTED BY CLIENT TO DESIGNER.
4. DESIGNER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND THE DESIGN OF THE MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS. DESIGNER SHALL NOT BE RESPONSIBLE FOR THE DESIGN OF THE FOUNDATION, ROOFING, OR OTHER EXTERIOR ELEMENTS.
5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SCHEDULES & SPECIFICATIONS PRIOR TO COMMENCEMENT OF WORK. BUILDING SCHEDULES & SPECIFICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS.
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DO NOT SCALE FROM THESE DRAWINGS.



NUMBER	DATE	REVISION	DESCRIPTION

Fletcher Addition  
272 Combs Circle  
Yachats, OR 97149b

Project Overview

Drawings Provided By:  
Pimplin' Cribs Out West LLC  
(541) 819-1319  
david@pimplincrisoutwest.com

DATE: 3/30/2025  
SCALE:  
SHEET: 60



REVISION	DATE	REVISION BY	DESCRIPTION

Fletcher Addition  
272 Combs Circle  
Yachats, OR 97498

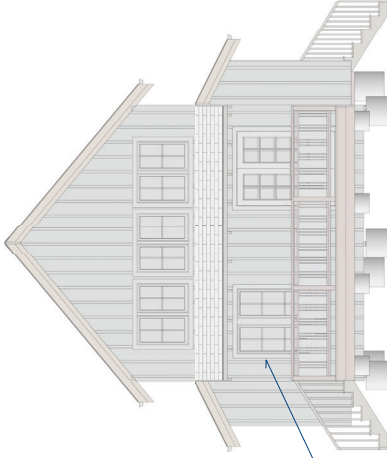
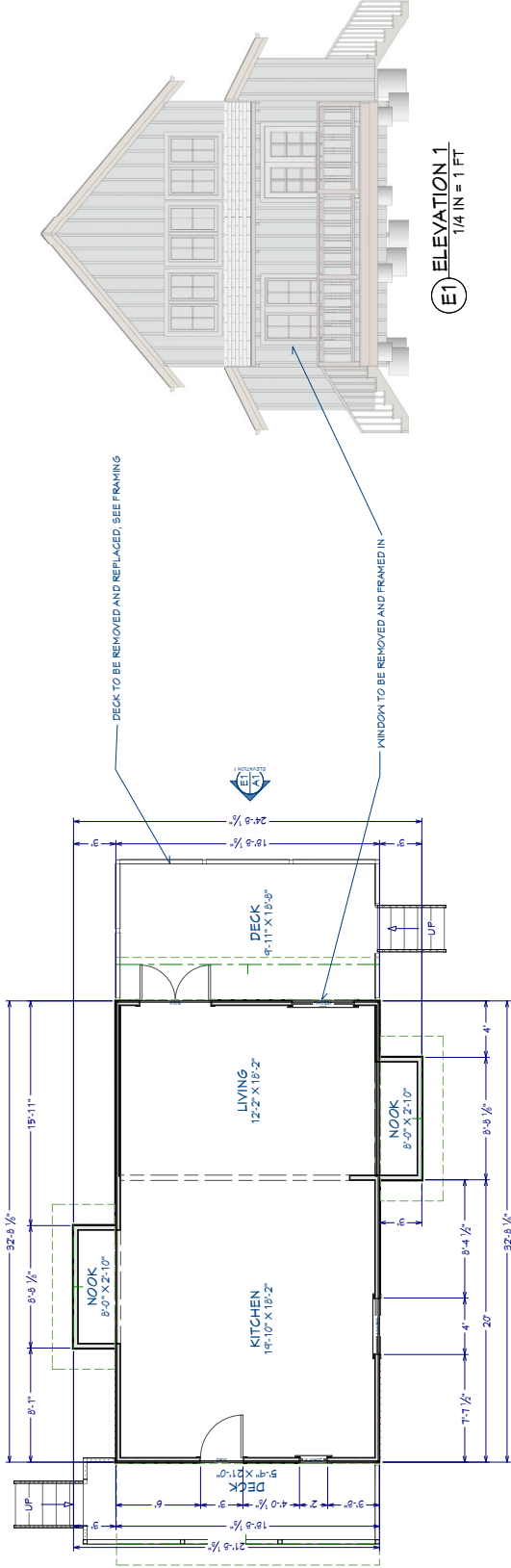
Floor Plans

Drawings Provided By:  
Fimpin' Crabs Out West LLC  
(541) 819-1319  
david@fimpin'crabsouthwest.com

DATE: 3/30/2025

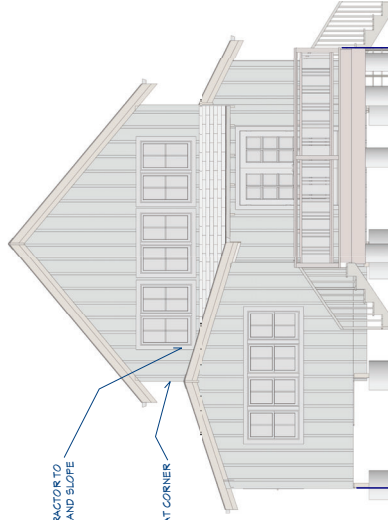
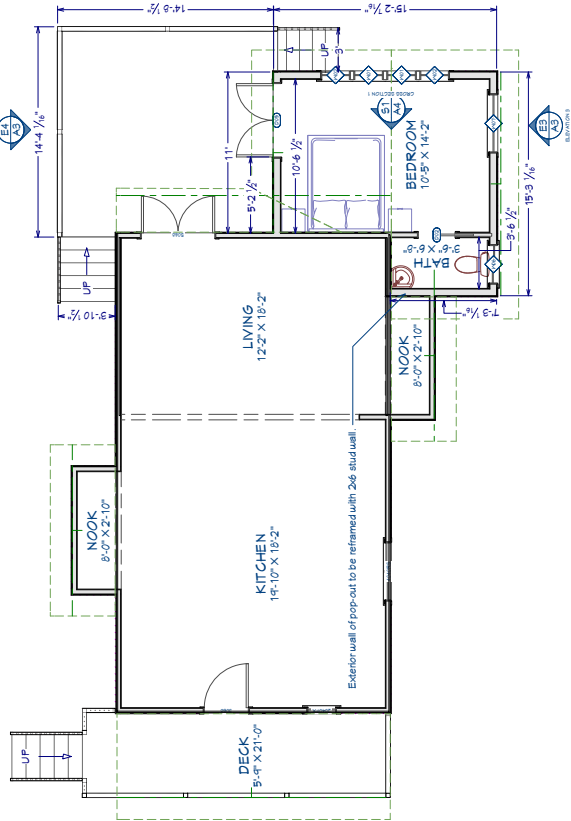
SCALE: 1/4" = 1'

SHEET: A1



DECK TO BE REMOVED AND REPLACED. SEE FRAMING.

WINDOW TO BE REMOVED AND FRAMED IN



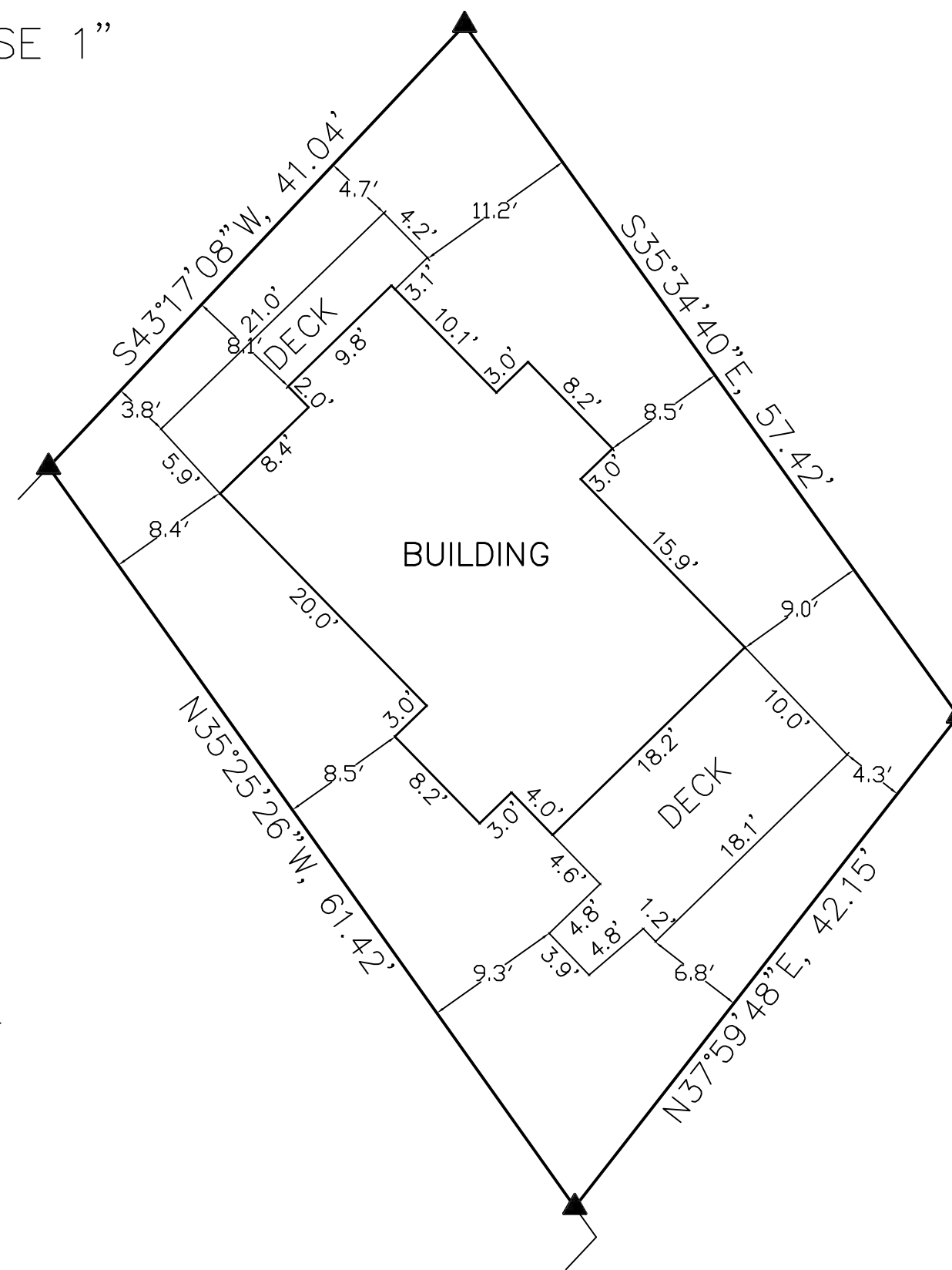
ROOFLINE TO CLEAR EXISTING WINDOW. CONTRACTOR TO VERIFY ELEVATIONS AND SLOPE

NEW RIDGE TO INTERSECT STRUCTURE AT CORNER

SKETCH FOR JONATHAN FLETCHER  
 SITE SURVEY FOR 272 COMBS CIRCLE, YACHATS, OREGON  
 ASSESSOR'S ID 14-12-26-CC TAX LOT 6900  
 DATE SURVEYED: FEBRUARY 25TH, 2021

LOT 9, "REPLAT OF QUIET WATER, PHASE 1"

NOTE: DIMENSIONS TAKEN FROM OUTSIDE OF SIDING



SCALE  
1" = 10'

**LEGEND:**

▲ FOUND ORIGINAL SURVEY MONUMENT

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
SEPTEMBER 13, 2020  
STEVEN E. NYHUS  
86420PLS

RENEWAL DATE:  
DEC. 31, 2020

 <b>NYHUS SURVEYING INC.</b> GARY NYHUS / STEVEN NYHUS / ERIC NYHUS PROFESSIONAL LAND SURVEYORS P.O. BOX 206 740 E. THISSELL RD. TIDEWATER, ORE 97390 (541) 528-3234	CHECKED BY: GKN
	DRAWN BY: SEN
	DATE: 03/04/2021
	SCALE: 1" = 10'
	PROJECT: 21046

# QUIET WATER DESIGN REVIEW PREAPPLICATION REVIEW COMMENTS

May 10, 2025

## FLETCHER RESIDENCE ADDITION

272 Combs Circle, Quiet Water - Yachats, OR

Quiet Water design “**Guiding Documents**”: the CC&Rs, adopted June 9, 2018, the document “*Guidelines, Procedures and Practices of the Design Review Committee*” (*Guidelines Manual*) adopted April 12, 2024, and the *Submittal Guidelines* document, all of which are available on the Quiet Water website QWHA.org.

### GENERAL COMMENTS:

There are discrepancies in the existing residence’s front (west) house, deck & stairs footprint configurations between the current site plan and the Survey provided in 2023. Please revise the new plans to an accurate and correct existing residence and deck configuration with respect to property lines, as this will affect the DRC reviews. The 2023 Survey appears to be the more accurate of the two and is being used in the DRC process.

The current plans are reasonably complete, but please include all information required in the attached “*Submittal Guidelines*”. Plans must be accurate, fully dimensioned, include a graphic scale (as they will be used in letter-sized format), and include lighting, colors, etc.

Ordinance Yard Requirements: In both the City of Yachats and Lincoln County ordinances, required yards are defined as being open and unobstructed from the ground upward. The current plans show deviations from this requirement, primarily within the north side yard and the east rear yard.

Variance: The Yachats City Planner has informed the DRC that you intend to pursue a variance through City processes for planned incursions into the north side yard and the east rear yard.

### Quiet Water Yard Requirements:

From Quiet Water CC&Rs:

*“4.2.2 The minimum side yard setback shall be five feet with a minimum separation of two feet for every three feet of the dwelling unit ...”*

*“4.2.3 Minimum front yard setbacks shall be four feet from the property line for the residential dwelling.”*

*“4.2.5 The combined front and back yard setbacks shall be a minimum of ten (10) feet.”*

Page Two  
Preapplication Review Comments  
Fletcher Addition  
May 10, 2025

**THE NEXT STEPS:**

Apply for Quiet Water Design Review using the Quiet Water Guiding Documents as noted above and the attached documents. Prepare the submittal in accordance with Quiet Water *Submittal Guidelines*. Include the 2023 Survey as a part of the submittal package. The Quiet Water Design Review Committee will complete a preliminary First Review for the project as if a City Variance has been approved but will await completing and issuing First Review comments until notified by the City of Yachats that the required variances have been approved.

**ATTACHMENTS:**

2023 Survey  
Quiet Water Submittal Guidelines  
Current Drawings provided to DRC

**Quiet Water DRC**

Loren Dickinson

BCC: Quiet Water DRC, QW Board and City Planner.

Dr. Linda Tweto-Johnson  
PO Box 988  
200 Combs Circle  
Yachats, OR 97498-0988  
503-931-0062

July 7, 2025

City of Yachats Planning Commission  
Re: Jonathon and Cheryl Fletcher variance request

Dear Commissioners,

I have owned my property in Quiet Water since 2001. My cottage is located at 200 Combs Circle in Quiet Water, within the LCA 1 area, in the same LCA as the Fletchers. I am requesting that you NOT approve this variance request.

Unlike the larger homes in LCAs 2,3 and 4, which have individual yards and vary in design, based upon the approval of the QWHA Design Review Committee, the cottages in LCA 1 are unique and basically have the same footprint and design. When the cottages opened for sale in 1983 the LCA 1 cottages received architectural design awards for their unique design and the materials used. Information about these design awards is available on the Quiet Water HOA website.

Homeowners in LCA 1 do not have specific individual yards as they are located within the Commons area. The QWHA provides the landscaping and mowing for the Commons area. Individual cottages within the LCA 1 maintain the 5 feet allowed around their cottages. Many of us have flowerbeds or lovely shrubs in the 5 feet allowed areas. The Fletchers variance request will change the overall appearance of the unique and vintage cottages in LCA 1. In my opinion, their request to reduce required yard setbacks infringes upon the Commons area--- which is not fair to the rest of the LCA 1 owners.

Thank you for considering my request.

Sincerely,

*Dr. Linda Tweto-Johnson*

JUL 14 2025

RECEIVED

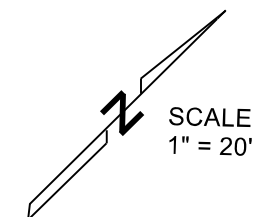
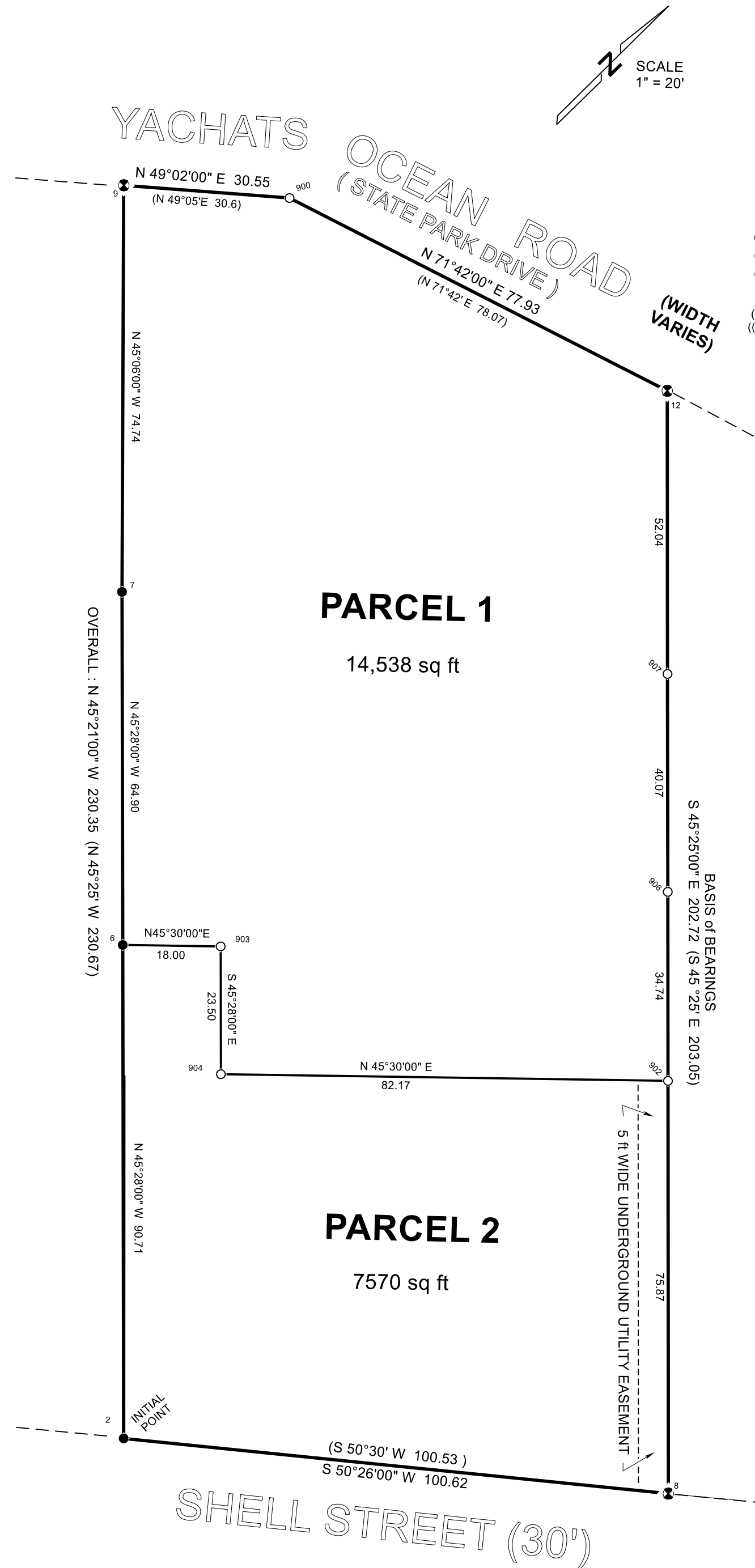
# PARTITION for the ORNELAS TRUST

of the property  
described by deed in Doc 2024-5900  
LOCATED IN  
the SE 1/4 of SECTION 27 & the NE 1/4 of SECTION 34  
T. 14 S; R. 12 W. - W.M.  
in LINCOLN COUNTY, OREGON  
(Tax Lot #2000 Map 14-12-27 DD)  
**AUGUST 2025**

**PARTITION PLAT 2025-**\_\_\_\_\_  
RECEIVED AND RECORDED ON THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY

\_\_\_\_\_  
COUNTY CLERK / DEPUTY

I, STEPHEN L. SWINEHART, CERTIFY THIS TO BE  
A TRUE AND EXACT COPY OF THE ORIGINAL.



### LEGEND

- 1" PIPE FOUND (CS #1058)
- 5/8" ROD FOUND (SCHMUNK'S ADDITION PLAT)
- MONUMENT SET : 5/8"x30" REBAR w/ YELLOW PLASTIC CAP MARKED : S. SWINEHART LS 2013
- ( ) RECORD INFORMATION CS #1058
- (( )) RECORD ADDITION SCHMUNK'S ADDITION

### MONUMENT NOTES

- #2 BENT 5/8"x 30" ROD, SPUN & RESET w/ NEW ROD.
- #6 5/8" ROD 0.4 ft BELOW GRADE.
- #7 5/8" ROD 0.2 ft BELOW GRADE.
- #8 RUSTED 1" PIPE 0.2 BELOW GRADE; THE C/L OF A CUT-OFF UTILITY POLE BEARS S65°E 0.9 ft, THE NEW POLE N50°E 6.7 ft.
- #9 RUSTED 1" PIPE 0.1 BELOW GRADE, 11 ft TO EDGE OF A.C.
- #12 RUSTED 1" PIPE 1.0 BELOW GRADE.
- #902 SW CORNER OF GARAGE BEARS ≈EAST 15.1 ft.
- #904 SE CORNER OF HOUSE BEARS ≈NORTH 13.8 ft.
- #906 THE BASE OF A FOUR STEM PINE BEARS ≈N45°W 5 ft.

### NARRATIVE

PARTITION OF PROPERTY DESCRIBED IN Doc 2024-5900. SEE COUNTY SURVEY #1058 BY AMBLER FOR THE ORIGINAL SURVEY OF THE BOUNDARY OF THIS TRACT, AND THE PLAT OF SCHMUNK'S ADDITION (Bk 13-Pg 16) FOR THE REMONUMENTATION OF THE POINT OF BEGINNING CALLED FOR IN THE DESCRIPTION (THE INITIAL POINT OF THIS PARTITION).

### SURVEYOR'S CERTIFICATE

I, STEPHEN L. SWINEHART, HAVE CORRECTLY SURVEYED AND MONUMENTED A TRACT OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 27 AND THE NORTHEAST 1/4 OF SECTION 34 OF TOWNSHIP 14 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT WHERE THE NORTH LINE OF SECTION 34 INTERSECTS THE WESTERLY RIGHT OF WAY LINE OF THE OREGON COAST HIGHWAY NO. 101; THENCE SOUTH 44°35' WEST 345.38 FEET; THENCE NORTH 45°25' WEST 215.05 FEET TO THE INITIAL POINT AT THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT:

THENCE NORTH 45°28'00" WEST 90.71 FEET;  
 THENCE NORTH 45°28'00" WEST 64.90 FEET;  
 THENCE NORTH 45°06'00" WEST 74.74 FEET TO THE EASTERLY LINE OF YACHATS OCEAN ROAD;  
 THENCE NORTH 49°02'00" EAST 30.55 FEET;  
 THENCE SOUTH 45°25'00" EAST 202.72 FEET TO THE WESTERLY LINE OF A 30 FOOT ROAD;  
 THENCE SOUTH 50°26'00" WEST 100.62 FEET TO THE INITIAL POINT.

### CONDITIONS and RESTRICTIONS :

-SEE DV 145-36 FOR SPECIFIC LANGUAGE-  
 NO BUILDINGS OR OBSTRUCTIONS WITHIN 25 FEET OF YACHATS OCEAN DRIVE (STATE PARK DRIVE) RIGHT OF WAY OR WITHIN 10 FEET OF THE OTHER PROPERTY LINES.  
 ALSO :  
 NO CATTLE, PIGS, SHEEP OR GOATS, ETC.

### EASEMENT

A NEW PRIVATE EASEMENT ACROSS PARCEL 2 TO BENEFIT PARCEL 1; 5 FOOT IN WIDTH; TO PROVIDE FOR UNDERGROUND UTILITIES, INCLUDING ACCESS TO PLACE, MAINTAIN, REPAIR AND REPLACE UNDERGROUND CONDUITS AND UTILITY LINES.

### DECLARATION

I, MICHAEL ROBERT ORNELAS, TRUSTEE OF THE ORNELAS TRUST DATED AUGUST 8, 2024, DID CAUSE THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE TO BE SURVEYED AND PARTITIONED AND A PRIVATE EASEMENT TO BE CREATED, AS SHOWN.

\_\_\_\_\_  
MICHAEL ROBERT ORNELAS - TRUSTEE DATE

STATE OF OREGON  
 COUNTY OF LINCOLN  
 THIS INSTRUMENT WAS ACKNOWLEDGED  
 BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025  
 BY THE ABOVE NAMED MICHAEL ROBERT ORNELAS.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
 MY COMMISSION EXPIRES \_\_\_\_\_

### APPROVALS

\_\_\_\_\_  
YACHATS PLANNING COMMISSION DATE

\_\_\_\_\_  
LINCOLN COUNTY SURVEYOR DATE

\_\_\_\_\_  
LINCOLN COUNTY TREASURER DATE

\_\_\_\_\_  
LINCOLN COUNTY ASSESSOR DATE

prepared by :  
 SWINEHART LAND SURVEYING  
 51 PIONEER TRAIL  
 TOLEDO, OREGON

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 16, 1982  
 STEPHEN LOY SWINEHART  
 2013

RENEWAL DATE : 6/30/26

NOTES :  
 SEE YACHATS PLANNING FILE :  
 #2-VAR-PC-25



2025  
2025

CASE FILE: 1-PAR-PC-25  
DATE FILED: August 4, 2025  
DATE APPLICATION DEEMED COMPLETE: August 11,  
DATE of PLANNING COMMISSION ACTION : August 19,  
PREVIOUS ACTION: July 15, 2025

## STAFF REPORT

### Final Partition Plat Approval

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 final plat approval for the partitioning approved at the July meeting.
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 final plat substantially complies with the approved preliminary partition plat.

**2. Relevant Yachats Municipal Code (YMC) Criteria:**

YMC 9.56.040.D contains the submission requirements for the final plat. YMC 9.56.040.F requires Planning Commission approval of the final plat but does not include any criteria for approval. There is no public hearing or notice to neighboring property owners.

**C. STAFF ANALYSIS**

The final plat submission substantially complies with the approved preliminary partition plat. YMC 9.56.040.F specifies that the Planning Commission chair shall sign the plat after the eleventh day following approval.

**D. CONCLUSIONS**

It appears to staff that the final plat is ready for approval.

**E. RECOMMENDATION**

Therefore, the recommendation from staff is to approve the final plat. 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 final plat and adopt the Order of Approval as presented.**

I move the Yachats Planning Commission approve the final partition plat for the Ornelas Trust 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 final partition plat for the Ornelas Trust and adopt the order of approval with the following modifications.

Submitted by,

Dan Fleishman  
Interim City Planner

Enclosures: Partition Plat for Ornelas Trust  
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 of the final plat 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.

**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. On July 15, 2025, the Planning Commission granted approval to the preliminary partition plat.

**C. PROPOSAL**

The applicant has submitted the final partition plat for approval

**D. ANALYSIS**

YMC Sect 9.56.040.D and 9.56.040.F establish the submission requirements and procedures for approval of a final partition plat. There are no approval criteria specifically for a final partition plat.

**IV. CONCLUSION**

The Planning Commission concludes that the final partition plat substantially conforms to the preliminary plat and approval granted on July 15, 2025

**V. ORDER**

Based on the conclusion above, the Planning Commission approves the final partition plat as shown on a plan entitled Partition for the Ornelas Trust, prepared by Swinehart Land Surveying and dated August, 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 11th day after the date of this decision.

**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

PLANNING COMMISSION ISSUES LIST as of 08/19/25

Item #	Description	Assigned	Due Date	Status
1	Schedule next training session	KG		<b>08/19: Closed pending changes for planner position.</b> 01/21/25: Completed training with Hui. Do we need another to elaborate on topics discussed? 12/17: KG to meet with Hui R. about training on commission roles, staff relations, meeting practices. 03/12: KG to talk to Hui about guidance on best practices to update Comp Plan. 02/23: Coordinate with Hui on next topic(s) and date.
2	Complete Wetland Inventory	KG		<b>07/30: Per BP,KG still responding to questions from DSL.</b> 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 ODS. Link to State Lands Inventory to be added to links page. 02/23: Pending response from ODS.
5	Amend Title 9 for Housing Implementation Plan			<b>Cascadia Partners.</b> 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.

6	Revise/update City Comprehensive Plan			11/18: Identified Goal G as one to focus on. Cascadia Partners offered assistance of their urban planner. Developing questions to ask them. Located proposed updates in Housing Plan appendix. 10/08: Identified Goals that may need updating. 09/17: Will start review of plan with next work session. 03/12: PC to wait on #1, #5 or #8 before proceeding. 02/23: Commissioners to review existing and prioritize which section(s) to work on.
7	Update application fees	KG		<b>05/20: Fees update completed. PC to review.</b> 10/28: Review completed. to present new fees to City Council in Nov. 10/08: City Mgr reports continued progress on review. 09/17: City Mgr review almost complete. 06/11: Now part of general review of all city fees. 03/12: Bobbie committed to meet with KG soon. 02/23: KG to meet with Bobbi to set fees.
8	Ordinance for ADU's			<b>Cascadia Partners.</b> 11/18: Discussed with Cascadia Partners in kickoff meeting. They will emphasize this in their updates to regs. 09/17: Discussed definition of ADU. Will defer until Cascadia Partners. 08/20: Have agreement with most major policy decisions. Will continue at next meeting. 07/09: Began review of various approaches to regulation. If time permits, will continue review 07/16. 06/11: Commissioners to research documentation and laws in other cities. To discuss in 07/09 meeting. 05/14: On hold to see if can be included with HIP. Collecting information from various sources. 04/09: Present concept in public forum prior to writing ordinance. 03/12: KG to look at getting copies of Waldport ordinance as well as relevant parking ordinances.
11	Consolidate minor updates to ordinances			06/11: On hold until after completion of #4. 04/16: Minor error in Fences and Hedges standard pointed up need to identify and consolidate into one list other minor changes/corrections to ordinances. KG to retrieve existing list for review.

12	Content for city social media			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			<b>05/20 Final still not included in Municipal Code.</b> 11/19: Followup to make sure that changes approved by City Council are added in writing to Title 9.
15	Update mobile home regulations			<b>Cascadia Partners.</b> 03/26: To be included in code updates by Cascadia. 12/10: Needs review to update to current state law.
16	Define SRO	DF		<b>Cascadia Partners.</b> 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		<b>Cascadia Partners.</b> 06/17: DF provided suggestion. May also be addressed by Cascadia.
19	Noxious Weed Ordinance	LD		08/15: LD working with Parks and Commons and will use their requirements for city wide ordinance
20	Water Conservation	CH		

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? <b>With no expressed need to expand, decided not to pursue. CLOSED</b>
10	Credit at COG			<b>05/14: With state funding for HIP and money in budget from planning consultation, will not need COG. CLOSED.</b> 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		<b>10/08: Public Works reports that all projects in plan that can be completed have been completed. Closed.</b> 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			<b>11/20: Approved unanimously by City Council. Closed.</b> 10/26: 1st public hearing with City Council held. No major issues. Second public hearing in Nov. 10/08: On schedule to present at next City Council meeting on 10/23. 09/12: Update from KG that with delay of review by DLCD and internal issues may not make City Council agenda until Nov. 06/11: Reviewed and approved changes to building height calculation. KG to send update to DLCD with approved changes. 5/21: Final draft approved by commission. KG to advise DLCD of changes. 05/14: At DLCD for review. Completed review of draft with PC today. Final review 05/21. Postponed public meeting to 07/16. 04/09: Waiting on marked up version. Review in 05/14 Work Session. Present in public meeting 06/18. 03/12: PC members to review and familiarize themselves with content. Need review schedule added to application. KG to put out marked up version. 02/23: Need review by DLCD.
14	Create Folder for Cascadia Partners Document	KG		<b>CLOSED.</b> 12/10: KG to talk to Neal about organization of documents. 11/19: KG to create folder on website to store all documents.