

1. Agenda

Documents:

[COMPLETE_WS_PC-7-19-16.PDF](#)

2. Meeting Materials

Documents:

[PC_WS_MINUTES-7-19-16.PDF](#)



CITY OF YACHATS
Planning Commission
July 19, 2016
Civic Meeting Room - Yachats Commons

WORK SESSION – 2:00 P.M.

Prioritize Potential Code Amendment Items and Other Issues to Address
Formula Business Regulations

REGULAR MEETING – 3:00 P.M.

Cancelled

Next Meeting Date: August 16, 2016

This meeting is open to the public and all interested citizens are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be given to the City Office one-week prior to the meeting. Minutes of all public meetings are available for review in the City Office. The facility is handicap-accessible; individuals needing assistance please contact the City Recorder at (541) 547-3565, or Oregon Relay 1-800-735-2900 (T.D.D.) two days in advance. The City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status.

Posted on July 14, 2016

Nancy Batchelder, City Recorder

July 12, 2016

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: July 19, 2016 Planning Commission Work Session

We do not have any regular meeting agenda items so the July 19, 2016 regular Planning Commission meeting has been cancelled.

Your packet for the work session includes the following material:

- June 21, 2016 Planning Commission Work Session Minutes
- Updated Memorandum - Prioritizing Potential Code Amendments and Other Items to Address
- Ojai, CA Formula Business Establishment Regulations (provided by Christine Orchard)
- Calistoga, CA Definitions of “Formula Business” and “Formula Restaurant” (from the June work session)
- Formula Business Regulations (misc. information and examples from the May work session)
- The Multiplier Effect of Local Independent Businesses (provided by Jerome Garger at the June work session)
- Yachats Zoning Map highlighting C-1 Retail Commercial and R-4 Residential zoning

I will be out of the office and therefore not attending the July 19th work session. See you at the August 16th meeting.

CITY OF YACHATS
PLANNING COMMISSION
Work Session
June 21, 2016
Minutes

Vice Chair Ron Urban called the June work session to order at 2:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Urban, Christine Orchard, Ken Aebi, Shelly Shrock, Helen Anderson, John Deriberprey. Absent: Nan Scott. Also present, City Planner Larry Lewis.

I. Prioritize Potential Code Amendment Items and Other Issues

The Definition of Industrial Use has been completed.

Formula Businesses:

The Commission discussed the definition that Calistoga, CA uses.

Aebi said that he does not think using a definition developed in California for a much larger city is the way to go.

Urban said that he thinks that Yachats would be doing itself a disservice if all formula businesses are prohibited, but he can see that perhaps it would work for formula restaurants.

Urban said that if Texaco or Best Western wanted to operate a gas station or a hotel in town it would be better for the community than not having a gas station or having one of the hotels close.

Orchard said that just putting definitions in the Code would not restrict anything – it is just a definition. It would depend on what restrictions are also placed in the Code.

When asked, Lewis said that he is not familiar with formula businesses, but many communities have design standards.

Discussion followed regarding what the rationale would be for any prohibiting formula businesses. Is it because the town wants to control how a business looks or is it to protect the local businesses from the competition from national chains.

Jerome Garger said that his reasons for wanting to restrict formula businesses are:

- More money stays in the community when the business is locally owned.
- Locally owned restaurants serve healthier food.
- To keep fast food out of town and protect the local eateries.
- Locally owned businesses donate more to the local charities than corporate chains.

1 Garger said that City Council could make an exception if a business would actually
2 benefit the community.

3
4 There was consensus to continue this discussion at a future work session.

5
6 Urban said that what the Commission needs to do is prioritize the items before
7 organized discussions can begin.

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9 Urban asked each of the Commissioners to print out the list of issues that have been
10 raised and put some numbers on it so the Commission can work on setting the
11 priorities.

12
13 The work session was adjourned at 2:55 p.m.

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17 _____
18 Ron Urban, Vice Chair

19
20
21 Attest:

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25 _____
26 Nancy Batchelder, City Recorder

June 14, 2016 (Updated July 12, 2016)

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: June 21, 2016 Planning Commission Work Session

PRIORITIZING POTENTIAL CODE AMENDMENTS AND OTHER ITEMS TO ADDRESS

At the May 24, 2016 Planning Commission Special Work Session the Commission discussed prioritizing the list of potential Code amendments and other items to address.

- _____ Definition of Industrial Use
- _____ Formula Businesses
- _____ Building on Slopes
- _____ Vacation Rentals
- _____ Dark Sky Designation
- _____ Vehicles stored/parked on 101
- _____ Drones
- _____ Definition of shed
- _____ Drainage Ways – setbacks
- _____ Tsunami Evacuation Routes – Accessibility
- _____ Exception to building height restrictions

Sec. 10-2.1713. Formula business establishments.

- (a) *Purpose.* The purpose of this section is to regulate the location and design of formula business establishments in order to maintain the tourist attracting small town character of the City, the diversity of the community's unique commercial areas and quality of life for visitors and residents.
- (b) *Regulation.*
- (1) A formula business may only be established on a site after obtaining a conditional use permit from the City for the operation of that use on such site, subject to the limitations of this section. Change of ownership, by itself, shall not require obtaining a conditional use permit pursuant to this section.
 - (2) No permit application of any kind shall be accepted or processed for a formula business that also possesses at least two of the following characteristics:
 - (i) Specializes in short order or quick service food and/or drink;
 - (ii) Serves food and/or drink primarily in paper, plastic or other disposable containers; and
 - (iii) Payment is made by customers before food and/or drink is consumed.
 - (3) In addition to the findings required by Section 10-2.2406 as prerequisite to the issuance of a conditional use permit, the Commission shall make all of the following findings prior to the issuance of a conditional use permit for a formula business:
 - (i) The proposed formula business will not result in an over-concentration of formula business establishments in its immediate vicinity or in the City as a whole;
 - (ii) The proposed formula business will contribute to an appropriate balance of small, medium and large-sized businesses in the City; and
 - (iii) The proposed formula business has been designed to preserve and enhance the City's small town character and to integrate existing community architectural and design features which will preserve such character for the City's residents and visitors.
 - (4) The Commission may promulgate regulations to further define the scope and meaning of the foregoing findings to ensure consistent implementation of this subsection.
 - (5) No conditional use permit shall be issued for a use that is a formula business located within the area of the Downtown Commercial land use designation of the City's General Plan if either of the following are true: (i) such establishment has street-level frontage exceeding twenty-five (25) linear feet on any street, or (ii) the useable area of the building or structure wherein the formula business is to be located exceeds two thousand (2,000) square feet. For purposes of this section, "street level frontage" shall include frontage on private parking lots and access ways where the commercial building does not abut a public street.

(6) Except as provided in subsection (b)(5) of this section, no conditional use permit shall be issued for a use that is a formula business if such establishment exceeds ten thousand (10,000) square feet of net total floor area.

(c) *Applicability.* This section is in addition to, and not in replace of, any other regulations set forth elsewhere in this title. In the event of a conflict between the provisions of this section, and any other regulations in this title, the provisions of this section shall prevail.

(d) *Definitions.* "Formula Business" means a type of commercial business establishment, retail sales or rental activity and retail sales or rental establishment, including restaurants, hotels and motels, which, along with ten (10) or more other establishments, maintains two (2) or more of the following features: (i) standardized array of merchandise or standardized menu; (ii) standardized facade; (iii) standardized décor or color scheme; (iv) uniform apparel; (v) standardized signage; or (vi) trademark or service mark; provided, however, a "formula business" shall not include an automated, standalone vending machine.

(1) "Standardized array of merchandise" means fifty (50%) percent or more of in-stock merchandise from a single distributor bearing uniform markings.

(2) "Trademark" means a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others.

(3) "Servicemark" means a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of a service from one party from those of others.

(4) "Decor" means the style of interior finishings, which may include but is not limited to, style of furniture, wallcoverings or permanent fixtures.

(5) "Color scheme" means selection of colors used throughout, such as on the furnishings, permanent fixtures, and wallcoverings, or as used on the façade.

(6) "Façade" means the face or front of a building, including awnings, looking onto a street or an open space.

(7) "Uniform apparel" means standardized items of clothing including but not limited to standardized aprons, pants, shirts, smocks or dresses, hat, and pins (other than name tags) as well as standardized colors of clothing.

(8) "Signage" means a "business sign" as defined in Section 10-2.1607(c) of this Code.

(9) "Standardized" does not mean identical, but means "substantially the same."

(e) *Existing formula retail establishments.* Formula business establishments existing on the date of adoption of the ordinance codified in this section are subject to Title 10, Chapter 2, Article 13 (Nonconforming Uses, Structures, and Parcels) of this Code.

(f) *Burden of proof.* In the event the City determines that a permit application or permit subject to this section is for a formula business, the permit applicant or holder bears the burden of proving to the City that the proposed or existing use does not constitute a formula business.

CALISTOGA, CA DEFINITIONS OF "FORMULA BUSINESS" AND "FORMULA RESTAURANT"

"Formula Business" shall mean a business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include but not be limited to retail sales and service, visitor accommodations, wholesale and industrial operations.

"Formula Restaurant" shall mean a restaurant devoted to the preparation and offering of food and beverage for sale to the public for consumption either on or off the premises and which is required by contractual or other arrangement to offer any of the following: standardized menus, ingredients, food preparation, decor, uniforms, architecture, or similar standardized features.

FORMULA BUSINESS REGULATIONS

A growing number of cities and towns are enacting policies that restrict the proliferation of “formula businesses” — stores and restaurants that have standardized services, décor, methods of operation, and other features that make them virtually identical to businesses elsewhere.

Having saturated malls and other shopping areas, many formula retailers and restaurants are increasingly locating in downtowns and neighborhood business districts. Because they all like to follow one another, it’s not uncommon for formula businesses to arrive in an area en masse, squeezing out independents and causing a speculative run-up in rents that results in the wholesale transformation of a business district almost overnight.

This can have long-term economic consequences as the downtown or neighborhood business district loses its distinctive appeal and no longer offers opportunities for independent entrepreneurs. Low-margin businesses that meet the basic needs of surrounding neighborhoods, such as grocers and pharmacies, may be pushed out as rents rise and the area attracts more formula restaurants and apparel stores. Perhaps of greatest concern, formula businesses tend to be fair-weather friends and can disappear quickly when the economy contracts or their corporate strategy shifts.

To prevent and mitigate these problems, some cities and towns have adopted ordinances that prohibit formula businesses, cap their total number, or require that they meet certain conditions to open. A ban on formula businesses does not prevent a chain such as Starbucks from coming in, but it does require that Starbucks open a coffee shop that is distinct — in name, operations, and appearance — from all of its other outlets. Although there are a few examples of a chain complying with a formula business ordinance by opening a unique outlet, in most cases, they refuse to veer from their cookie-cutter formula and opt not to open.

Legal Issues

When enacting a formula business ordinance, a city should articulate within the ordinance and its legislative history the public purposes the law will serve and specify how the restrictions will fulfill those purposes. This is key to crafting a sound ordinance that will not be susceptible to legal challenges. The ordinance should reference the city’s comprehensive plan, identifying goals within the plan that a formula business restriction will help to fulfill. These commonly include:

- Maintaining the unique character of the community and the appeal of its commercial district
- Protecting the community’s economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent entrepreneurs
- Fostering businesses that serve the basic needs of the surrounding neighborhood, rather than those oriented toward tourists or regional shoppers

Carmel

This small city in the mid-1980s became the first town in the country to enact a formula restaurant ban, which prohibits fast food, drive-in and formula food establishments. In Carmel a business is considered a formula restaurant if it is "required by contractual or other arrangements to offer standardized menus, ingredients, food preparation, employee uniforms, interior decor, signage or exterior design," or "adopts a name, appearance or food presentation format which causes it to be substantially identical to another restaurant regardless of ownership or location."

Calistoga

1. Add to the Definitions Section 17.04, 17.04.132 Business, Formula to read as follows:

"Formula Business" shall mean a business which is required by contractual or other arrangement to maintain any of the following : standardized services, decor, uniforms, architecture, signs or other similar features. This shall include but not be limited to retail sales and service, visitor accommodations, wholesale and industrial operations.

2. Add to the Definitions Section 17.04, Section 17.04.616 Restaurant, Formula to read as follows:

"Formula Restaurant" shall mean a restaurant devoted to the preparation and offering of food and beverage for sale to the public for consumption either on or off the premises and which is required by contractual or other arrangement to offer any of the following: standardized menus, ingredients, food preparation, decor, uniforms, architecture, or similar standardized features.

WHEREAS, the City Council has now amended the City's General Plan Policy and Program Document including policies pertaining to the quality of life desired in Calistoga by maintaining a friendly, slow-paced, rural, small town atmosphere and further detailing policies aimed at reinforcement of the downtown as the commercial and cultural center of the community ; and

WHEREAS, the City Council finds that these policies are necessary to preserve the unique and historic character of Calistoga's downtown commercial district, including regulating the aspect of businesses, services and merchandise that is reflective of the history and people of the community and which has become a cornerstone of the visitor industry which is a key component in the City's economy; and

WHEREAS, the City Council further finds that certain formula business establishments, e.g. formula food businesses do not reflect the unique character of the community and the desired aesthetic ambience of the commercial areas of

the city in that they offer rushed, ready made meals from formula menus identical to similarly decorated units located in other communities and thus cannot contribute to the established uniqueness which the Council finds necessary to maintain a viable visitor industry in Calistoga; and

WHEREAS, the City Council further finds that the scale and design of improvements of existing development is an important factor in the overall aesthetic character of the community and that refinements in the City's Zoning Ordinance are necessary to insure that new development is in scale and in harmony with Calistoga; and

WHEREAS, the City Council has considered the importance of the pace of change in the non-residential sector of the community in order to maintain the character of Calistoga as well as the ongoing vitality and viability of the existing historic downtown commercial district.

Sanibel

WHEREAS, the City of Sanibel was created in large part to allow the planning for the orderly development of an island community known far and wide for its unique atmosphere and unusual natural environment and to insure compliance with such planning so that these unique and natural characteristics of the island shall be preserved; and

WHEREAS, the City and island's unique character, consisting of large wildlife and preservation areas, quite beaches and passive relaxation opportunities, supported by the Sanibel Plan, the Beach Management Plan, the Land Development Code and all ordinances of the City, is not only important for its own sake, but is also in a sense Sanibel's stock in trade; and

WHEREAS, the City has undertaken to write a Vision Statement which reflects the public's desires to remain a small town community, remain unique through a development pattern which reflects the predominance of natural conditions and characteristics over human intrusions, and avoid "auto-urban" development influences; and

WHEREAS, the same characteristics which make Sanibel Island unique and desirable as a place in which to live and which to visit, place it in danger of losing its uniqueness and desirability; and

WHEREAS, one of the threats to Sanibel's uniqueness and natural relaxed atmosphere is the potential proliferation of "formula" restaurants; and

WHEREAS, such types of restaurants diminish the unique character of the island by offering standardization of architecture, interior design and d'cor, uniforms and the like;

110) Formula restaurant. An eating place that is one of a chain or group of three(3) or more establishments and which satisfies at least tow of the following three descriptions:

- a. it has the same or similar name, tradename, or trademark as others in the chain or group;
- b. it offers either of the following characteristics in a style which is distinctive to and standardized among the chain or group:
 - 1. exterior design or architecture;
 - 2. uniforms, except that a personal identification or simple logo will not render the clothing a uniform;
- c. it is a fast food restaurant.

York, ME

notes that York has retained a large concentration of historic buildings and locally owned businesses, and that the town's unique character is important to York's "collective identity as a community."

Winslow, WA (Bainbridge Island)

In 1989, after a public hearing in which comment was overwhelmingly opposed to additional formula take-out food restaurants, the city council adopted an ordinance prohibiting such businesses on the grounds that they "are automobile rather than pedestrian-oriented businesses" and the city's comprehensive plan "calls for pedestrian orientation and a village atmosphere."

WHEREAS,as a result, the City Council of the City of Winslow, Washington, now finds that formula take-out food restaurants represent a type of business that is automobile-oriented or of a particular nature that the existence of one such restaurant in the High School Road zone is a sufficient maximum number of that use for the village character of Winslow to be preserved. That other or additional restaurants of that type in all zones should not be permitted hereafter; that expansion in number of such establishments should be disallowed entirely in order to establish at this time, an optimal mix of pedestrian-oriented and other kinds commercial and retail establishments; that to preclude further development of such restaurants in a town of this size prevents commercial overconcentration of automobile-oriented businesses and of that type of retail service establishment and will provide for smaller neighborhood-style pedestrian and other kinds of retail outlets to best serve the varied needs of Winslow residents and consumers;

The Multiplier Effect of Local Independent Businesses

This resource also is offered in Spanish. Leer [en español](#). For holiday-themed versions of the multiplier effect graphs below, see [this menu](#).

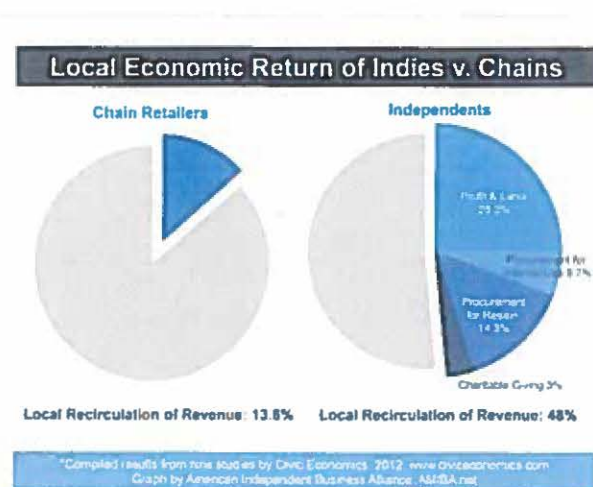
Clearly communicating the importance of the local economic multiplier effect or "local premium" is a key part of effective "buy local" and public education campaigns. The multiplier results from the fact that independent locally-owned businesses recirculate a far greater percentage of revenue locally compared to absentee-owned businesses (or locally-owned franchises*). In other words, *going local* creates more local wealth and jobs.

The multiplier is comprised of three elements — the direct, indirect, and induced impacts.

- **Direct impact** is spending done by a business in the local economy to operate the business, including inventory, utilities, equipment and pay to employees.

- **Indirect impact** happens as dollars the local business spent at other area businesses re-circulate.

- **Induced impact** refers to the additional consumer spending that happens as employees, business owners and others spend their income in the local economy.



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The private research firm [Civic Economics](#) has executed the bulk of studies attempting to quantify the difference in local economic return between local

independents and chain businesses. Their first such [study](#) (pdf), for the city of Austin, Texas showed an independent bookseller (Book People) and music seller (Waterloo Records) returned more than three times as much money to the local economy as a proposed Borders Books and Music outlet would.*

Those results since have been mirrored by subsequent studies ([ten summarized here](#)), each showing a much greater local multiplier for spending at independent businesses than chains. These studies measured the direct and indirect impacts to determine the base level local economic activity of a purchase made at a chain and a local independent business.

On average, 48 percent of each purchase at local independent businesses was recirculated locally, compared to less than 14 percent of purchases at chain stores. (See blue graph)

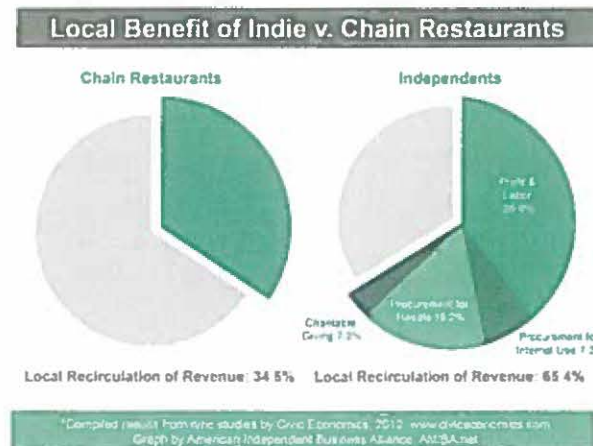
The Institute for Local Self-Reliance

conducted perhaps the simplest study of the local multiplier effect in several small Maine communities in 2003. The study examined how much of a dollar spent at a local independent store is re-spent in the local area as payroll, goods/services

purchased from area businesses, profits spent locally by owners, and as donations to area charities. The study found each \$100 spent at local independents generated \$45 of secondary local spending, compared to \$14 for a big-box chain — nearly identical to later results across the many Civic Economics studies.

Other studies by Civic Economics in Grand Rapids, Michigan and Chicago expanded exploration of the indirect impacts by including more business types (see discussion below) and added *induced* impacts, so the results are not directly comparable to most other CE studies or the ILSR Maine study.

While the body of research in this realm is still small, we are unaware of any studies inconsistent with the results referenced



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We've received 10+ inquiries on starting "buy local" initiative there's someone n amiba.net/about_us



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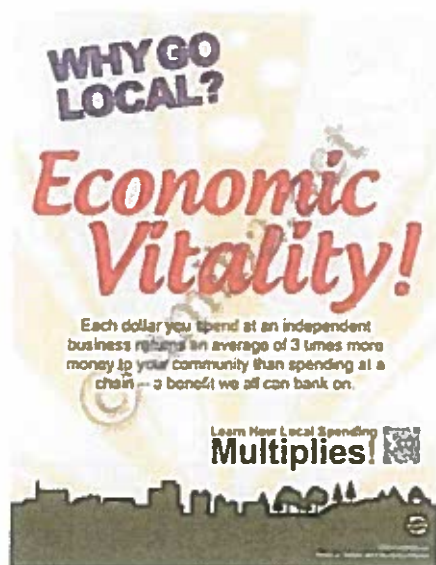
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above.

Key Points

Civic Economics' Andersonville neighborhood (Chicago) study found a total impact (direct, indirect and induced) of \$.68 for each dollar spent at ten local independents, compared to \$.43 projected for their chain competitors. However, the projection of indirect and induced impacts *does not mean \$.68 of each dollar spent at a local independent "stays" in the local economy*, but that \$.68 of *additional* local economic activity *ultimately is generated* after additional spending cycles. Citing the higher numbers without explaining they include impacts by entities other than the original business is simply wrong. It also gives any opponent an easy point to undermine the credibility of your group.



Bear in mind the Andersonville study examines ten businesses in *one neighborhood* of one large city. Businesses in smaller cities and towns typically have less ability to source many goods and services locally.

To gain respect as an authoritative voice within your community, we suggest you guard your credibility by *checking your materials to ensure they convey verifiable, accurately-worded information and don't rely on secondary sources*. (A major media outlet

published a wrongful claim that 80% of money spent with local independents was re-spent locally — a claim at least two other outlets then attributed to AMIBA, which is why we're now zealous about correcting misinformation when we see it.)

Stickiness

In addition to being accurate, make sure your message is memorable. Saying, "Multiple studies show locally-owned independent restaurants return twice as much per dollar of revenue to our local economy than chain restaurants. And *"independent retailers return more than three times as much money per dollar of sales than chain competitors,"* is a far more memorable phrase than talking in terms of percentages or comparing \$.68 to \$.43.

Of course, you could add, "and buying remotely on the web creates almost no local benefit—just a few minutes' work for a delivery person." You also may add for your outreach materials or interviews, "That adds up to a huge difference in

Indie Business News:

Portland Buy Local Keeps the Soul in One of New England's Great Cities

MetroIBA Goes Beyond "Buy Local" Work to Shape Pro-Indie Policy

San Francisco Buy Local Forum with Jeff Milchen

12

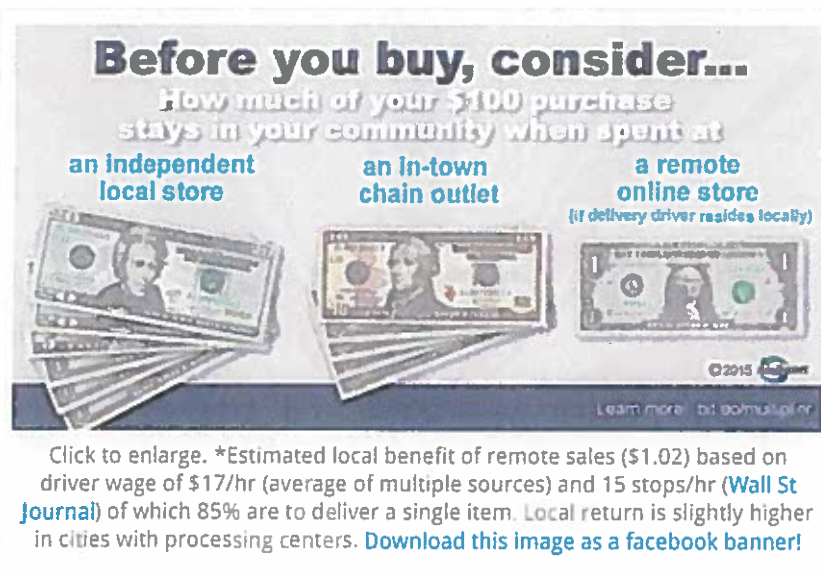
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creating local jobs and local wealth.” Calculating the added local wealth that would be generated by a 10% shift to local independents is one tactic successfully employed by several communities.

Details on Study Variants



Business Type

The size of the local premium varies depending on the type of business. Restaurants and service providers generate a large multiplier because they are labor-intensive and, therefore, more of each dollar of revenue goes to local payroll. Most retailers, unless they source an exceptionally high percentage of their goods locally, also create a more modest multiplier than restaurants.

This is not to say restaurants are better for economic development than retail. May retailers have sizable revenue and professional job opportunities, which are important to any local economy. It's just helpful to be aware of these differences because the mix of businesses involved in a particular study will influence the results.

Land Use

In 2009, [Stay Local!](#), an AMIBA affiliate in New Orleans, commissioned Civic Economics to evaluate economic return per square foot of retail space used by both local merchants and Target Corporation. The local merchants studied generated twice as much sales activity per square foot and nearly quadrupled the local economic return per square foot compared to projections for Target. See the resulting report: [Thinking Outside the Box](#) (pdf).

Quantifying Shifts in Spending

To gauge the overall impact on your local economy of [shifting 10%](#) of purchasing from non-local or absentee-owned to locally-owned businesses, you would need to know the local multiplier for each category of spending and the

percentage of people's spending in each category. (i.e., 20% goes to groceries and the grocery multiplier is 0.15; 5% goes to books and the local multiplier is 0.32; etc.)

Presumably, this is how Civic Economics arrived at the Grand Rapids figures for the impact of shifting 10% of all retail sales. The average local multiplier in that study works out to 0.16 across all retail categories.

"Buying locally,
creates almost 100% local
benefit - just a few
minutes' drive to a
delivery business

Thanks to Civic Economics and Stacy Mitchell of ILSR for assistance with this content. ILSR summarizes and links many related studies on the impact of big box development. Note: AMIBA does not conduct these studies. Please contact Civic Economics for information about commissioning one for your community.

* The [Austin Independent Business Alliance](#) (one of AMIBA's first affiliates) used the study results to rally opposition against a public subsidy planned by the City to attract Borders. They succeeded. Tellingly, the corporation chose not to compete on a level playing field against two well-run independents and Borders never opened.



A Note on Franchises. Despite claims by countless franchisors (the companies that sell to a person wishing to operate a franchise — the franchisee), franchised businesses overall are no more likely to succeed than independent businesses and typically deliver a

worse return on investment, as [this article](#) explains). The local multiplier effect of most franchises will fall between that of local independents and chain competitors in their business category.

Recent Multiplier Effect Studies (all links are pdfs)

[Independent We Stand/National Retail Hardware Assoc.](#), spring, 2015. Specific to home improvement retail.

[Monadnock Region, NH](#), fall 2014

[Hudson Valley, NY](#), spring 2014

[British Columbia](#) 2013 (see p. 12)

OVERLEAF
FIRESIDE

ADOBE

MARINE DR

7TH ST

4TH ST

3RD ST

KOHO

YACHATS INN

OCEAN

- R-1 SINGLE FAMILY RESIDENTIAL
- R-2 SINGLE FAMILY AND DUPLEX
- R-3 SINGLE, DUPLEX, MULTI-FAMILY
- R-4 SINGLE, DUPLEX, MULTI-FAMILY AND MOTEL

C-1 COMMERCIAL

S-P STATE PARKS

PF PUBLIC FACILITIES

EN ESTUARY NATURAL

- URBAN GROWTH BOUNDARY
- CITY LIMITS
- ZONE LINE

CITY OF YACHATS, OREGON

ZONING MAP-1978

ORDINANCE 73
NOVEMBER 9, 1978
AMENDED MARCH 13, 1980 (ORD. 82)
AMENDED MARCH 12, 1981 (ORD. 98)
AMENDED MAY 1981 (ORD 137)
AMENDED AUGUST 1982 (ORD 155)

SCALE 1" = 400'

CITY OF YACHATS
PLANNING COMMISSION
Work Session
July 19, 2016
Minutes

Vice Chair Ron Urban called the July 2016 work session to order at 2:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Urban, Christine Orchard, Nan Scott, Shelly Shrock, Helen Anderson, John Deriberprey. Absent: Ken Aebi

I. Prioritize Potential Code Amendment Items and Other Issues to Address

The Commission prioritized issues to Address as follows:

1. Formula Businesses
2. Drainage Ways – Setbacks
3. Building on Slopes
4. Vacation Rentals
5. Definition of Shed
6. Exception to Building Height Restrictions
7. Tsunami Evacuation Routes – Accessibility
8. Drones
9. Vehicles Stored/Parked on Hwy 101
10. Dark Sky Designation
11. Affordable Housing/Density

2. Formula Business Regulations

The Commission reviewed the discussion from the June Work Session.

Urban said that he believes that there are items in the Comprehensive Plan that would support regulations on formula businesses.

It was mentioned that when there are fast food restaurants there is more trash along the roadside.

The Commission discussed the rational for regulating formula businesses.

Scott said that with local businesses, there is more of an incentive to remain and the profits stay in the community.

Scott said that one of the reasons to regulate formula businesses is to protect the local businesses.

Urban said that formula business could be considered a Conditional Use, which would give the Planning Commission some control.

1
2 Urban said that Cannon Beach has a pretty good formula business Ordinance.

3
4 Anderson said that the City could restrict the size of a building.

5
6 It was suggested that all businesses could be restricted to size, appearance, ownership,
7 and local financial benefits.

8
9 Urban said that he is interested in prohibiting formula restaurants but not in placing any
10 restrictions on other types of businesses.

11
12 Scott said that she thinks formula businesses should be restricted.

13
14 There was consensus that there should be restrictions and it should be in two parts –
15 one for restaurants and another for businesses.

16
17 The Commission discussed the items to include in a definition, and what exceptions
18 could be considered, such as gas stations, financial institutions or health care facilities.

19
20 Anderson said that she would be willing to go through the Comprehensive Plan to come
21 up with the purpose and rational, and suggested that the rest of the Commission could
22 start with the Calistoga Code example and mark any changes they would like.

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24 The work session was adjourned at 3:30 p.m.

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30 Ron Urban, Vice Chair

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32 Attest:

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36 _____
37 Nancy Batchelder, City Recorder