

1. Agenda

Documents:

[PC\\_WS\\_AGENDA\\_-\\_02-21-17.PDF](#)

2. Meeting Materials

Documents:

[PC\\_MINUTES-12-06-16.PDF](#)

[POTENTIAL\\_CODE\\_AMENDMEN\\_ITEMS\\_AND\\_ISSUES\\_FEB\\_2017.PDF](#)

[PC\\_MINUTES-01-17-17.PDF](#)

[PC\\_WS\\_MINUTES-12-06-16.PDF](#)

[PC\\_WS\\_MINUTES-01-17-17.PDF](#)

[DRAFT\\_AMENDMENT\\_TO\\_ZONING\\_\\_AND\\_LAND\\_USE\\_02-14-17.TXT](#)

3. Work Session Minutes

Documents:

[2017-02-21 PLANNING WS MINUTES.PDF](#)



CITY OF YACHATS

## PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

### **Tuesday, February 21, 2017: 2 pm Work Session; 3 pm Regular Meeting**

#### WORK SESSION AGENDA

- A. Proposed Amendments to Yachats Municipal Code (YMC) 16.52.050 Hazard Areas
- B. Planning Commission Prioritized Potential Code Amendment Items
- C. Yachats Comprehensive Plan

#### REGULAR MEETING AGENDA

- I. Announcements and Correspondence
- II. Minutes
  - A. Regular Meeting and Work Session – December 6, 2016
  - B. Regular Meeting and Work Session - January 17, 2017
- III. Citizen's Concerns
- II. Public Hearings
- V. New Business
- VI. Other Business
  - A. From the Commission
  - B. From Staff

Commission meets the third Tuesday of each month.

**Next scheduled meeting: March 21, 2017 at 2:00pm and 3:00pm.**

This meeting is open to the public and all interested persons are invited to attend. 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 prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at [www.yachatsoregon.org](http://www.yachatsoregon.org).

In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; 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).

Posted: Feb. 15, 2017



**CITY OF YACHATS**  
**PLANNING COMMISSION**  
December 6, 2016

Minutes

The December 6, 2016 meeting of the Yachats Planning Commission was called to order by Chair Nan Scott at 3:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Scott, Helen Anderson, Christine Orchard, Shelly Shrock, Ron Urban. Absent: John Deriberprey, Ken Aebi. Also present, City Planner Larry Lewis. Audience – 11.

**I. Announcements and Correspondence – None.**

**II. Minutes**

- **Work Session – November 15, 2016**
- **Regular Meeting – November 15, 2016**

Motion to adopt the November 15, 2016 work session and regular meeting minutes, Aye – 5, No – 0, Abstain – 0, Absent – 2

**III. Citizen's Concerns** – Max Glenn asked if the proposed formula business regulations would have any impact on the Dollar General building permit application. The Commission confirmed that the building permit application was submitted prior to adoption of the formula business regulations and therefore is regulated under Code provisions at the time the application was submitted.

**IV. Public Hearings**

- A. Case File #2-CU-PC-16 City of Yachats Conditional Use Application – South Water Reservoir** – This public hearing was continued from the November 15, 2016 meeting to the December 6, 2016 meeting.

Scott opened the Public Hearing for the Conditional Use Application.

Scott explained that the purpose of the hearing is to consider the application made by the City of Yachats for approval to construct a water reservoir. Scott asked if anyone wished to object to the jurisdiction of the Commission to hear this matter. There were none.

Scott asked if any Commissioner wished to make any disclosure, or abstain from participating or voting on this application because: of possible financial gain resulting from this application, because you own property within the area entitled to receive notice of this hearing; because you have a direct private interest in the proposal; or because you have determined that you cannot be impartial?

Scott asked if any Commissioner needs to declare any contact, written, oral or otherwise, prior this hearing, with the applicant, appellant, any other party involved in this, or any other source of information (outside of staff) regarding the subject of this hearing? If so, please state with whom you had contact and what was said. There were none.

Scott said that the public hearing process would be as follows:

- a. Staff will identify the relevant criteria and summarize the staff report.
- b. The applicant will have the opportunity to present the request and address questions.

- 1 c. Proponent, then opponents, then people who are neutral will have opportunity to speak.  
2 d. The applicant will then have the opportunity to rebut any opponent testimony.  
3

4 The City Planner summarized the staff report and written testimony received, i.e. notes from  
5 Thomas and Rosalie Riverman, a letter from Roy Grinnell, and a copy of the Foundation  
6 Engineering, Inc. Field Notes pertaining to the December 2015 Crestview Drive landslide.  
7

8 Scott opened the public testimony portion of the hearing. Scott asked everyone addressing the  
9 Planning Commission to come forward and state their name and mailing address.  
10

11 Scott asked the applicant to provide any additional information.  
12

13 Applicant Rick McClung, City of Yachats, introduced Matt Wadlington and Andrea Stancliff of  
14 Civil West Engineering Services. Wadlington provided a slide presentation and in summary  
15 described how the location of the proposed water tank is at a lower elevation than the original  
16 location therefore a pump station is not required, described the site plan of the proposed tank  
17 location, the 10' wide drive around the tank, retaining walls, access, and drainage on the site.  
18 Wadlington described how drainage from the site would be routed to the City of Yachats lot on  
19 the inside of the Crestview Drive curve, then be routed into a 24" drain pipe that would extend to  
20 Hwy 101, and that any overflow would continue across Crestview Drive in its current routing  
21 location.  
22

23 Questions and concerns were voiced by Yachats Rural Fire Protection District Chief Frankie  
24 Petrick, Dean Shrock, Betty Richard, Yvonne Wulff, and Gerald Stanley. Questions and  
25 concerns were largely related to drainage but also addressed 1) assurance that the area  
26 proposed for development was large enough to accommodate the tank, 10' wide road around  
27 the perimeter of the tank, and the retaining walls; 2) methods for containing water in the event of  
28 a water tank leak; 3) the width and surface material of Crestview Drive; 4) adherence to current  
29 seismic standards; 5) preference for screening and non-reflective tank and roof color that blends  
30 with surrounding natural features, and 6) preference to keep the existing creek 'open' on the  
31 north side of Crestview Drive.  
32

33 No other oral testimony was provided.  
34

35 The Planning Commission conversed with the applicant and engineer regarding the need to  
36 accommodate storm drainage. McClung described how the State funding awarded for the water  
37 tank project enables the City to provide storm drainage improvements at the site and along  
38 Crestview Drive. Without the State funding, drainage improvements along Crestview Drive  
39 would not be feasible at this time. A Commissioner questioned the existing storm runoff that is  
40 routed down the middle of the street. McClung described how Crestview Drive would be  
41 improved including installation of the storm drainage pipe and the water line, which will result in  
42 grading and surfacing improvements to Crestview Drive. Crestview Drive will be graveled with  
43 the same width that currently exists. The Commission reached consensus that the engineer  
44 needs to further investigate drainage and ensure that drainage will be accommodated based on  
45 a high intensive, short duration rain event.  
46

47 Scott asked the Planning Commission if they believe they have all the necessary evidence they  
48 will need to make a decision. The majority of the Commission believed they did have all the  
49 necessary evidence they needed to make a decision. Scott asked if there were any requests to  
50 leave the record open for additional information. There were none.  
51

1 Scott closed the public testimony portion of the public hearing and opened the deliberations.  
2 The Commission discussed the need to accommodate drainage on the site and on Crestview  
3 Drive. The Commission reached consensus to have the engineer investigate and ensure that  
4 drainage on Crestview Drive will accommodate a high intensity, short duration rain event. The  
5 Commission discussed the color of the tank and roof surface and reached consensus that the  
6 tank and roof surface will be a non-reflective color that blends into the natural background. A  
7 motion was made at the close of deliberations.

8  
9 Motion to approve #2-CU-PC-16 City of Yachats South Water Reservoir Conditional Use  
10 application with the conditions Lewis proposed in his staff report as amended by including  
11 Commission recommendations regarding drainage and tank/roof color. Findings and Order to  
12 be prepared for the Chair to sign, Aye – 5, No – 0.

13  
14 **VI. New Business – None.**

15  
16 **VII. Other Business**

17  
18 **A. From the Commission – None.**

19  
20 **B. From Staff – Lewis reviewed the Land Use & Building Permit Activity.**

21  
22 The meeting was adjourned at 5:10 p.m.  
23  
24  
25

26 \_\_\_\_\_  
27 Nan Scott, Chair

28 Attest:  
29  
30 \_\_\_\_\_  
31

July 2016 (updated February 2017)

**Planning Commission Prioritized Potential Code Amendment Items and Other Issues to Address**

|    | Item                                      | Status                                                                      |
|----|-------------------------------------------|-----------------------------------------------------------------------------|
| 1  | Formula Businesses                        | Completed                                                                   |
| 2  | Drainage Ways – Setbacks                  |                                                                             |
| 3  | Building on Slopes                        | In progress                                                                 |
| 4  | Vacation Rentals                          | Completed                                                                   |
| 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                      | Planning Commission recommended a committee be established to address this. |
| 11 | Affordable Housing/Density                |                                                                             |

**CITY OF YACHATS**  
**PLANNING COMMISSION**  
January 17, 2017

Minutes

The January 17, 2017 meeting of the Yachats Planning Commission was called to order by City Planner Larry Lewis at 3:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Helen Anderson, Christine Orchard, Shelly Shrock, John Deriberprey. Absent: Ron Urban. Audience – 9.

**I. Elect Planning Commission Chair and Vice Chair**

Motion by Orchard to elect Helen Anderson as Chair and Ron Urban as Vice Chair. Aye – 4, No – 0, Abstain – 0, Absent - 1

**II. Announcements and Correspondence**

The City received applications from Ginny Hafner and James Kerti for the two vacant Planning Commission positions. Hafner and Kerti approached the podium and provided information and answered Planning Commission questions.

Motion to recommend to the City Council that both applicants be appointed to the Planning Commission. Aye – 4, No – 0, Abstain – 0, Absent - 1

**III. Minutes**

- **Work Session – December 6, 2016**
- **Regular Meeting – December 6, 2016**

The Planning Commission postponed consideration of the minutes due to a lack of quorum of members that attended the December 6, 2016 work session and regular meeting.

**IV. Citizen's Concerns – None.**

**V. Public Hearings**

**A. Case File #1-THPUD-PC-16 Trotter-Koehler Townhouse Planned Unit Development Application**

Anderson opened the Public Hearing for the Townhouse Planned Unit Development Application.

Anderson explained that the purpose of the hearing is to consider the application made by the City of Yachats for approval of a two unit Townhouse Planned Unit Development. Anderson asked if anyone wished to object to the jurisdiction of the Commission to hear this matter. There were none.

Anderson asked if any Commissioner wished to make any disclosure, or abstain from participating or voting on this application because: of possible financial gain resulting from this application, because you own property within the area entitled to receive notice of this hearing; because you have a direct private interest in the proposal; or because you have determined that you cannot be impartial. There were none.

1  
2 Anderson asked if any Commissioner needed to declare any contact, written, oral or  
3 otherwise, prior this hearing, with the applicant, appellant, any other party involved in  
4 this, or any other source of information (outside of staff) regarding the subject of this  
5 hearing? If so, please state with whom you had contact and what was said. There were  
6 none.

7  
8 Anderson said that the public hearing process would be as follows:

- 9 a. Staff will identify the relevant criteria and summarize the staff report.
- 10 b. The applicant will have the opportunity to present the request and address  
11 questions.
- 12 c. Proponents then opponents, then people who are neutral will have opportunity to  
13 speak.
- 14 d. The applicant will then have the opportunity to rebut any opponent testimony.

15  
16 The City Planner summarized the staff report and written testimony received, i.e. letters  
17 and emails from Quentin and Kathleen Smith, Ron Spisso and Carol McWilliams,  
18 Steven McIntire, Maggie and Paul Marshall, and Linda Fava.

19  
20 Anderson opened the public testimony portion of the hearing. Anderson asked  
21 everyone addressing the Planning Commission to come forward and state their name  
22 and mailing address.

23  
24 Anderson asked the applicant to provide any additional information.

25  
26 Applicant Betty Trotter Koehler presented information and answered questions. She  
27 stated a primary reason for this request is to be able to sell one of the residential  
28 dwellings and keep one of the dwellings.

29  
30 No oral testimony was provided in favor or in opposition of the application however four  
31 people provided neutral testimony. A summary of issues addressed in the oral  
32 testimony included:

- 33 - A request to rezone the property to R-1 Residential to prevent further land  
34 division of the properties in the future. The Planning Commission explained that  
35 the size of the property(s) is not large enough to further divide the property and  
36 increase the number of residential dwellings in the future.
- 37 - A request to maintain the north-south pedestrian easement across the eastern  
38 portion of the subject property.
- 39 - Concern about future removal of the existing building and construction of a taller  
40 structure with increased residential units. The Planning Commission explained  
41 that the structure could be replaced with a taller building not exceeding the  
42 maximum 30 foot height limit and the number of residential dwellings could not  
43 be increased with the current R-2 maximum density standard.
- 44 - That providing access to the northern lot/dwelling via Coolidge Lane is can be  
45 accomplished with minimal improvement and that would eliminate the possible  
46 vehicular driveway conflict and reduce traffic on Lemwick Lane.

- 1 - The importance of establishing legal pedestrian access along the southern edge  
2 of the subject property from the western terminus of Lemwick Lane to the 804  
3 Trail for use by residents of Lemwick Lane.  
4

5 Anderson asked the Planning Commission if they believe they have all the necessary  
6 evidence they will need to make a decision. The majority of the Commission believed  
7 they did have all the necessary evidence they needed to make a decision. There were  
8 no requests to leave the record open for additional information.  
9

10 Anderson closed the public testimony portion of the public hearing and opened the  
11 deliberations. The Commission discussed:  
12

13 1) the maximum density allowed on the subject property, i.e. two dwelling units;  
14

15 2) the requested modifications to the R-2 regulations which are permitted through  
16 the Townhouse PUD regulations, i.e. the proposed South Lot 5,984 sq. ft. area versus  
17 the R-2 minimum 6,000 sq. ft. standard; the proposed North Lot 48.75 foot width versus  
18 the R-2 minimum 50 foot standard, and the proposed 0 foot side yard setback for the  
19 common wall between the two dwellings versus the standard 8 foot setback required for  
20 a 24 foot high building.  
21

22 3) the Planning Commission determined that the east-west oriented pedestrian  
23 accessway along the southern boundary of the South Lot, between the west end of  
24 Lemwick Lane and the 804 trail, should become a legal pedestrian access for use by  
25 Lemwick residents, property owners, and occupants. Upon establishment of this legal  
26 access, the existing north-south pedestrian easement across the east end of the subject  
27 property could be vacated.  
28

29 4) Vehicular access to the North Lot should be provided from Coolidge Lane.  
30 The North Lot directly fronts Coolidge Lane. Improvements can be made to the eastern  
31 portion of the North Lot to provide vehicular access to the existing driveway and garage.  
32 This will eliminate potential vehicular driveway conflicts between the North and South  
33 Lots, and reduce traffic on Lemwick Lane.  
34

35 Motion to approve #1-THPUD-PC-16 Trotter-Koehler Townhouse Planned Unit  
36 Development application with the conditions Lewis proposed in his staff report as  
37 amended to require vehicular access to the North Lot from Coolidge Lane and to  
38 remove the word "public" from the dedication of the southerly edge of the South Lot as a  
39 pedestrian easement. Findings and Order to be prepared for the Chair to sign, Aye – 4,  
40 No – 0.  
41

42 **VI. New Business – None.**  
43

44 **VII. Other Business**  
45

46 **A. From the Commission – None.**

1  
2           **B.     From Staff** – Lewis reviewed the Land Use & Building Permit Activity.  
3

4   The meeting was adjourned at 4:35 p.m.  
5

6  
7           \_\_\_\_\_  
8   Helen Anderson, Chair  
9

10   Attest:  
11  
12       \_\_\_\_\_

CITY OF YACHATS  
PLANNING COMMISSION  
Work Session  
December 6, 2016  
Minutes

Vice Chair Ron Urban called the December 6, 2016 work session to order at 2:00 p.m. in the Civic Meeting room of the Yachats Commons. Members present: Urban, Helen Anderson, Christine Orchard, Shelly Shrock, Nan Scott. Absent: John Deriberprey, Ken Aebi

Vice Chair Urban briefly reviewed the 'prioritized code amendment list' with the Planning Commission. The Commission determined that the next subject to review will be the stream/drainage way setbacks.

**I. Steep Slopes (Hazard Areas)**

The Commission reviewed the memorandum provided by city planner Lewis including the recommended revisions to Yachats Zoning & Land Use Code Section 9.52.050 Hazard Areas. The Commission also reviewed written testimony provided by Ron Grinnell. The Commission requested the following revisions to the draft amendment:

Section A. Eliminate "but not limited to minimum" from the fourth and fifth line.

Section A.1 Per recommendation from public input, change "Zero to eleven (11)" to "less than twelve (12)".

Section A.2 Reformat with bullets to better identify the four types of development that require a geotechnical report on slopes of 12 percent or greater. Separate the last sentence regarding requirements at the completion of a project with a new paragraph.

Section A.3 Add "twelve" prior to 12% to be consistent with the other parts of this Section.

Section A.3 Maintain "or", not "and" at the end of subsection 1) pertaining to definition of slope and requirements for having a geotechnical report.

Section A.4 Editorial changes and change "zero to eleven (11)" to "less then twelve (12).

Section B. Add "or greater" after 12 percent.

The Planning Commission will continue discussion on the Hazard Area amendments at the January 2017 work session. The work session was adjourned at 3:00 p.m.

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Ron Urban, Vice Chair

Attest:

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CITY OF YACHATS  
PLANNING COMMISSION  
Work Session  
January 17, 2017  
Minutes

City Planner Larry Lewis called the January 17, 2017 work session to order at 2:00 p.m. in the Civic Meeting room of the Yachats Commons. Planning Commission members present: Helen Anderson, Christine Orchard, Shelly Shrock, John Deriberprey. Absent: Ron Urban

**I. Steep Slopes (Hazard Areas)**

The Commission continued review of recommended revisions to Yachats Zoning & Land Use Code Section 9.52.050 Hazard Areas. The Commission reviewed a January 10, 2017 memorandum from Lewis that identified requested Planning Commission revisions from the December 6, 2016 work session. The Commission requested the following revisions to the draft amendment:

Section A.2 Delete the entire existing Section A.2 (the memorandum did not include ~~strikethrough~~ text for the entire paragraph.

Revisions were proposed throughout Section 9.52.050 to correct grammatical errors and provide consistency, e.g. commas were removed and added, section headings need to be consistent, and "geotech" was changed to "geologist".

Section D.1.a requires the geotechnical report include the C.E.G. stamp of an Oregon certified engineering geologist.

Section D A new subsection was proposed, i.e. "Provide a checklist of geological requirements during construction, for example, geologist review of erosion protection prior to construction, geological certification prior to pouring foundation footings and slabs, revegetation requirements, etc."

The Planning Commission spent the last part of the work session reviewing written testimony for the upcoming public hearing for Case File #1-THPUD-PC-16.

The work session was adjourned at 3:00 p.m.

---

Ron Urban, Vice Chair

Attest:

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# YACHATS PLANNING COMMISSION

February 21, 2017

## Work Session Minutes

Planning Commission Chair Helen Anderson called the February 21, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 1 of the Yachats Commons. Members present: Helen Anderson, Christine Orchard, JD Deriberprey, Ginny Hafner. Members absent: Shelly Shrock, Ron Urban. Staff present: City Planner Larry Lewis. Also present: Planning Commission nominee James Kerti. Audience: 1

### **I. New Business**

A. Chair Anderson announced that Vice-Chair Urban was absent due to medical reasons.

B. Anderson welcomed new Commissioner Hafner and nominee James Kerti and apologized for lack of clarity on procedure for appointments. Kerti was instructed to attend City Council meeting or work session to be formally appointed to the Planning Commission. Commissioner Orchard asked about the procedure for ensuring follow through of decisions by the commission that need to be presented to other commissions or the council or to member applicants. Anderson stated City Manager Davies stated this follow through is her responsibility.

C. Anderson asked Commissioners if it would be helpful to have a "Now that you have been nominated" document to offer guidance on a commissioner's role. Commissioners indicated the following be included in said document:

1. Instructions on how to be formally appointed by the City Council
2. Need to complete documents:
  - a. background information sheets on volunteering (Manager Davies)
  - b. the annual Oregon Ethics Commission disclosure statement (the OEC contacts persons already in the system each year, typically by March)
3. Summary of quasi-judicial process for public hearings. Commissioner Hafner indicated the "An Introductory Guide to Land Use Planning for Small Cities and Counties in Oregon" (January 2007 created by the Oregon Department of Land Conservation and Development) located at the top of the Planning section in the Yachats Documents Library is helpful.
4. A review of the role of the planning commissioners. Deriberprey noted such a review would be helpful to all members and the public.

Planner Lewis stated he is always available to discuss quasi-judicial procedures with commissioners if they contact him.

### **II. Review of Commission Rules and Public Hearing Process**

A. Anderson referred commissioners to the YMC 2.04 regarding Planning Commission structures and duties.

B. Anderson wanted to establish clarity on the process to be followed for receiving public testimony and asking questions of the public. Anderson cited the legality of needing to follow the public hearing script. Orchard noted the importance of commissioners keeping questions to the topic and not to incidental information. Anderson noted

1 restricting conversation between citizens was to prevent antagonistic comments and  
2 ensure fair treatment of all participants.  
3

- 4 C. The public input section is applicant statement, persons in support of the proposal,  
5 persons against the proposal, persons with neutral comments, applicant response to  
6 public comments, then commissioner questions to the applicant. Once the public  
7 input is closed, the public testimony must be re-opened to ask further questions of the  
8 applicant or those giving testimony.  
9
- 10 D. Commissioner Conduct Outside of Meetings: Anderson informed commissioners that  
11 the best policy is to refrain from discussion of Planning Commission matters outside of  
12 meetings, instead suggesting that the interested party come to the meetings and write  
13 a letter. If one does talk to someone about an issue, they should take note of what  
14 was said and the person(s) involved. This contact and conversation will need to be  
15 declared at the beginning of a public hearing. Lewis stated that any information  
16 gathered prior to the public hearing should be introduced during the ex parte  
17 declarations. Commissioners may conduct their own site visit provided they not  
18 trespass in posted areas.  
19
- 20 E. Executive Sessions: Manager Davis sent commissioners a memo on the situations in  
21 which a commission can go into executive session. There are no foreseeable reasons  
22 for the Planning Commission to use the executive session process.  
23

### 24 **III. Worksession Agenda Items**

#### 25 **A. Yachats Comprehensive Plan**

- 26 1. The Planning Commission is charged with reviewing the Comp Plan every five  
27 years, and the last review was conducted in 2008. Lewis reported the 2008  
28 reviewed involved major changes, consultant work, and a survey.  
29 2. Anderson instructed commissioners to review Goals A, B, and C before the  
30 next work session.  
31

#### 32 **B. Proposed Amendments to Yachats Municipal Code 9.52.050 Hazard Areas**

- 33 1. Lewis reviewed the commission's suggested changes to date of section  
34 9.52.050. A public hearing on these changes will be conducted at a future date  
35 when there are more issues to suggest.  
36

#### 37 **C. Planning Commission Prioritized Potential Code Amendments**

##### 38 **1. Drainage Ways**

39 Drainage ways are addressed in YMC section 9.52.52.070 Shoreland Setbacks.  
40 Orchard noted that former commissioner Nan Scott had suggested additional  
41 discussion on drainage ways. Orchard stated she would contact Scott to get  
42 clarification of the issue needing review.  
43

##### 44 **2. Sheds**

45 Anderson reported there are structures that are indicated as a shed in a building  
46 plan that are actually converted to living space. Lewis stated R-1 zoned properties  
47 are limited to a single dwelling unit. Lewis stated he would get clarification from  
48 the county building division on habitation limitations on sheds. Currently a shed  
49 that is not over 200sf or over 10ft high requires no building permit. The definition  
50 of a deck was also raised. Lewis noted he has seen properties that have detached

1 bedrooms. Lewis noted the criterion that delineated a dwelling from a separate  
2 structure is a stove.

3  
4 3. Exceptions to Building Height Restrictions

5 Anderson explained existing exceptions to the 30 foot height restriction in YMC  
6 9.52.170 can be used to construct larger structures than is intended by the  
7 exceptions, such as building an observatory under the dome exception or building  
8 an excessively large chimney are currently allowed. Deriberprey suggested the  
9 commission establish limits on the exceptions that would necessitate obtaining a  
10 variance from the Planning Commission if exceeded. Deriberprey also indicated  
11 that some tall structures, such as a flagpole, might also present hazards to  
12 neighbors if not properly secured.

13  
14 Anderson summarized that footprint and height are two variables that can be used  
15 to establish limitations in size. The height variable should be addressed relative to  
16 the building height or to the city 30 foot restriction.

17  
18 Lewis will search for code from other cities that address these issues and check  
19 with the Lincoln County Building department on restrictions on chimneys.

20  
21 Anderson adjourned the work session at 2:51 pm.

22  
23  
24  
25  
26 \_\_\_\_\_  
27 Helen Anderson, Chair

\_\_\_\_\_

28 Date

29 Minutes prepared by H H Anderson on March 7, 2017  
30  
31