1. Agenda

    Documents:

        PC_AGENDA_4-18-17.PDF

2. Meeting Materials

    Documents:

        PC_REGULAR_03-28-17.PDF
        EXCEPTION_TO_BUILDING_HEIGHTS_4-11-17.PDF
        PC_WORK_SESSION_03-28-17.PDF

3. Work Session Minutes

    Documents:

        2017-04-18 PLANNING WS MINUTES.PDF

CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, April 18, 2017: 2 pm Work Session; 3 pm Regular Meeting

WORK SESSION AGENDA

A. Exceptions to Building Heights
B. Housing Issue
C. Yachats Comprehensive Plan – Goals A-C

REGULAR MEETING AGENDA

I. Announcements and Correspondence
II. Minutes
    A. Regular Meeting and Work Session – March 28, 2017
III. Citizen's Concerns
IV. New Business
V. Other Business
    A. From the Commission
    B. From Staff

Commission meets the third Tuesday of each month.

Next scheduled meeting: May 16, 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 .

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: Apr. 12, 2017

YACHATS PLANNING COMMISSION

March 28, 2017

Regular Meeting Minutes

Planning Commission Chair Helen Anderson called the March 28, 2017 regular meeting of the Yachats Planning Commission to order at 3:00 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Christine Orchard, Shelly Shrock, JD Deriberprey, Ginny Hafner. Members absent: James Kerti. Staff present: City Planner Larry Lewis. Audience: 1.

I. Announcements and Correspondence

1. Anderson asked commissioners to file their Oregon Government Ethics Commission document by April 15. Commissioners not in the OGEC system were instructed to see Manager Davies.
2. Lewis announced a land use planning training workshop in Sherwood in May 4, 2017. Anderson stated she had received email notification from the Oregon Chapter of the American Planning Association for a planning training in Eugene on May 20, 2017. Lewis stated the city would cover registration fees.

II. Minutes

A. Regular Meeting and Work Session of December 6, 2016

Urban moved to approve the December 6, 2016 minutes of the regular meeting and work session of the Planning Commission: Aye - 4; No – 0; Abstain: 2 (Deriberprey: absent, Hafner: not yet appointed to commission)

B. Regular Meeting and Work Session of January 17, 2017

Orchard moved to approve the January 17, 2017 minutes of the regular meeting and work session of the Planning Commission: Aye - 4; No – 0;Abstain: 2 (Urban: absent, Hafner: not yet appointed to commission)

C. Regular Meeting and Work Session of February 21, 2017

Deriberprey moved to approve the December 6, 2017 minutes of the regular meeting and work session of the Planning Commission: Aye - 4; No – 0; Abstain: 2 (Shrock: absent, Urban: absent)

III. Citizen's Concerns – none

The commission had been notified a constituent would be present to discuss tiny homes, but that individual had left the meeting. Anderson asked Lewis what code sections would apply to tiny homes. Lewis stated the type of structure that comprises the tiny home would determine whether it is allowed, specifically:

1. A tiny home on wheels is considered an RV and is prohibited in the city.
2. A permanent dwelling requires a permanent foundation and connection to water and sewer.
3. A prefabricated structure or stick built home is allowed if above a minimum size. The minimum size is established by the county and concerns minimum areas for living and sleeping, for sanitation/bathroom, and for kitchen (estimated just above 300 square feet in total).
4. A manufactured home is subject to a minimum of 1000 square feet and multi-sectional construction according to the existing YMC.

Anderson asked about regulations around multiple units on a single property. Lewis indicated multiple units would not be allowed in an R-1 zone unless a PUD was formed. Lewis noted a PUD requires a minimum of two contiguous acres.

IV. Public Hearings - none

V. New Business

A. Ex Parte Contact

Deriberprey reported ex parte contact with Jim Adler regarding low-income housing. Adler suggested the city use proceeds from vacation rental taxes to purchase property for long-term, low-income rentals. Deriberprey encouraged Adler to discuss the issue with the Planning Commission.

VI. Other Business

A. From the Commission - none

B. From Staff

1. Lewis reported there had been 3 building permits applications since January 2017.
2. The Drift Inn owner is aware her conditional use permit needs to be revised to incorporate her purchase of another structure on 2nd Street and agreed to address the matter by the September 2017 deadline from the previous conditional use permit.
3. Lewis reported the engineers for the South Reservoir project did recalculate pipe size needs for the increased rain intensity the commission had asked them to examine during the public hearing. The project has been approved and is proceeding.

Hafner moved to adjourn the meeting at 3:41 pm: Aye – 6; No – 0.

Commission meets the third Tuesday of each month.

Next Meeting: Tuesday, April 18 at 3:00 pm

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Helen Anderson, Chair Date

Minutes prepared by H H Anderson on March 7, 2017

April 11, 2017

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: Exceptions to Building Heights

At the March 28, 2017 Planning Commission work session, the Commission reached consensus on drafting amendment language to Yachats Municipal Code Section 9.52.170 General exceptions to building height limitations.

Existing code language is in regular text, language proposed to be deleted is in ~~strikethrough text~~, and proposed new language is in **blue text**.

> Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and other similar objects not used for human occupancy are ~~not subject to the building height limitations of this title.~~ **allowed as long as the projection 1) does not exceed nine (9) square feet, 2) has a maximum width of eight (8) feet as viewed from any direction, and 3) has a maximum height of 7½ feet above the peak of the roof.**
>
> **Stand-alone projections such as antennas, cell towers, transmission towers, and similar structures shall have a maximum height of 30 feet.**
>
> **Any requests for exceptions to the above standards shall be in accordance with Chapter 9.80 Variances.**

YACHATS PLANNING COMMISSION

March 28, 2017

Work Session Minutes

Planning Commission Vice-Chair Ron Urban called the March 28, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Christine Orchard, Shelly Shrock, JD Deriberprey, Ginny Hafner. Members absent: James Kerti. Staff present: City Planner Larry Lewis. Audience: 3.

I. Discussion Topics

A. Exceptions to Building Height

Planner Lewis read section 9.52.170 of the Yachats Municipal Code that covers exceptions to the city-wide 30 feet building height restriction. Lewis conferred with Lincoln County Building Official, Al Eames, on his experience and reviewed code from Lincoln City, Lincoln County, and Newport on building height exceptions. Lewis provided measurements on existing building projections in the city.

The commission discussed situations under which a large structure or device might be needed on a roof and potential hazards that might result from improperly installed and braced structures. Anderson suggested putting a limitation on maximum width, footprint, and height in line with what other jurisdictions have done. The commission noted they are not prohibiting any exceptions but are asking property owners to come to the commission to explain their plan. Lewis will draft language for projections to have a maximum 8 feet width, a maximum 9 square feet footprint, and a 7 ½ feet rise above the roof line be added to section 9.52.170. Lewis noted he will include language for stand-alone structures.

B. Habitable and Non-Habitable Structures

Lewis reviewed his findings on code for habitable detached structures and YMC 9.52.030. Urban asked Lewis to clarify what constitutes an habitable detached structure. Lewis explained different code applies to habitable such as smoke alarms and insulation. The commission discussed differences between workshops, studios, and detached living space. Lewis clarified the difference between a dwelling (includes a range/stove) and habitable structure.

An audience member provided information on small structure housing in Portland. Lewis explained the difference between that situation and what the commission is currently addressing. Hafner wanted clarification on the specific issue the commission is trying to address. Anderson reported the existence of structures on city properties that are used for living space but were not originally built as habitable structures, for example a room on top of a shed. Orchard and Hafner concurred that existing code addresses that issue so the matter is actually one of code enforcement.

The commission reviewed the YMC regarding decks and concurred the defining parameter was exposure to outside elements. Lewis had not encountered a request for building a detached structure under 200 square feet that would be used for living or work purposes. Lewis noted that additions to accessory structures would be regulated by the Lincoln Counting Building Department.

The commission decided no code amendments are needed at this time.

C. Comprehensive Plan Goals A-C Review
Postponed to later date.

The work session was adjourned at 2:58 pm.

Commission meets the third Tuesday of each month.

Next Work Session: Tuesday, April 18 at 2:00pm

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Ron Urban, Vice-Chair Date

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Minutes prepared by H H Anderson on April 8, 2017

YACHATS PLANNING COMMISSION

April 18, 2017

Work Session Minutes

Vice-Chair Ron Urban called the March 28, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, JD Deriberprey, Ginny Hafner, James Kerti. Members absent: Christine Orchard. Staff present: City Planner Larry Lewis. Audience: 1.

I. Discussion Topics

A. Exceptions to Building Heights

Vice-Chair Urban noted the revision to municipal code section 9.52.170 in the packet. Planner Lewis stated this revision contains all of the items the commission has discussed in past meetings. Commissioner Anderson noted minor edits. Commissioner Shrock asked where solar panels would fit into the code. Commissioners noted solar panels would only need a variance if they exceeded height restrictions. Commissioner Deriberprey asserted he does not want to limit residents but wants to know they are building safely. The commission discussed whether the $250 application fee would inhibit building.

Anderson instructed Lewis to move forward with holding a public hearing on recent code amendments.

B. Housing Issues

Anderson reported Councilors Glenn and Scott asked the Planning Commission to examine what it would take to allow for tiny houses to be built in Yachats. Anderson noted that while the Commission discussed tiny houses at the last meeting, the Council is looking for more than ideas specifically focusing on increasing density. Anderson noted current code stipulates two contiguous acres are required for a PUD.

Urban reported his research uncovered numerous issues around size, density, and building type. Urban assessed that current Yachats code is very restrictive on increasing density. He noted Portland's code on tiny houses is 56 pages. Urban was concerned making exceptions would set precedent for additional exceptions and damage the current intent of the code. Anderson believed to meet code, a tiny house could not have wheels and not be a manufactured home. Looking at stick built on foundation hooked up to sewer and water.

Deriberprey noted a definition from a prominent tiny home builder indicated a tiny home is defined to be under 400 square feet, while a 400-1000 square foot home is considered a small home. He agreed it is important to distinguish between a fixed structure and one that is mobile and/or removable. Commissioner Hafner noted our code does not allow for the removable structures.

Anderson asked how multiple houses on one lot could be addressed. Deriberprey asked if there is an advantage of building multiple stand-alone tiny homes versus a duplex, triplex, or condo. Commissioner Kerti reported the idea of a separate structure is a desired attribute in Portland communities.

Lewis clarified there are four basic home types: manufactured homes, prefabricated structures, RVs, and stick built homes. Lewis gave an example from Depoe Bay which concluded a mini-hotel could only be comprised of prefabricated structures or stick built homes. Urban and Lewis noted code is still being established on the national and state level concerning tiny homes. Anderson noted Lincoln County code around building occupancy would be applied to any tiny home structure. Lewis indicated the minimum house side to satisfy Lincoln County requirements for living/sleeping space, kitchen, and sanitation would be just over 300 square feet. Lewis noted Lincoln County has granted preliminary plans for a mini-home RV park in Waldport.

Urban raised the question of whether higher density tiny homes would be turned into vacation rentals and not address Yachats' workforce and housing needs. Anderson suggested the commission could include in any new code a stipulation that they tiny homes could not be used for short-term rentals. Urban asked that any such restriction be included in the property deed.

Anderson asked if lots would need to be subdivided so there is a lot for each home. Lewis indicated this factor would depend on the zone. Lewis asserted apartments can have detached structures on a given lot but townhomes would require lot division. Anderson noted the difference between a condo (do not own land) and a townhome (own land), and Lewis indicated condos could be built as tiny homes.

Deriberprey asked about minimum lot sizes. Lewis indicated smaller lot sizes are allowed in a townhome PUD as long as density requirements are met.

Lewis noted Yachats' R-1 zone is the most restrictive and residents believe having multiple dwellings in R-1 zones would change the character of the area, such as opposition against "mother-in-law units." Shrock asserted increasing the density in R-1 is contrary to why R-1 zones were established. Lewis noted R-3 density calculations require 6500 sf for the first structure then 2500 sf per unit thereafter (townhouse PUD could be in the form of detached tiny homes). The Dwellings, Koho, and Wilder in Newport are examples of higher density PUDs. Deriberprey argued any changes in R-1 density should be driven by the comprehensive plan.

Lewis discussed differences between constructing a tiny home community and apartment complexes, noting the former takes substantial time to sell and build. Lewis suggested apartments are better for addressing immediate housing needs.

Anderson surmised the Commission does not believe higher density tiny houses are appropriate for R-1 and there are ways to get higher density housing in other zones. The Commission agreed apartments and/or condos are a better approach for increasing more affordable and higher density housing. Several commissioners noted that tiny homes are expensive and a significant portion of potential long-term renters would be satisfied with apartments. Anderson stated she would prepare a memo to the Council summarizing the Commissions discussion.

C. Comprehensive Plan Goals A-C Review

Postponed to later date.

Urban requested that the next work session be focused on the Comprehensive Plan.

The work session was adjourned at 3 pm.

Commission meets the third Tuesday of each month.

Next Work Session: Tuesday, May 16 at 2:00pm

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Ron Urban, Vice-Chair Date

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Minutes prepared by H H Anderson on May 2, 2017