

1. Agenda

Documents:

[09-19_PC_AGENDA_FOR_09-19-17.PDF](#)

2. Meeting Materials

Documents:

[09-19_PC_REVIEW_OF_GOALS_A-D.PDF](#)

[09-19_PC_WORK_SESSION_08-15-17.PDF](#)

[09-19_PC_MEETING_MINUTES_08-15-17.PDF](#)

3. Work Session Minutes

Documents:

[2017-09-19 PLANNING WS MINUTES.PDF](#)



CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, September 19, 2017: 2 pm Work Session; 3 pm Regular Meeting

WORK SESSION AGENDA

- A. Yachats Comprehensive Plan – Goals A-D - Summary of Prior Planning Commission Work Sessions
- B. Yachats Comprehensive Plan – Goal E. Protection from Natural Hazards and Disasters

REGULAR MEETING AGENDA

- I. Announcements and Correspondence
- II. Minutes
 - A. Regular Meeting and Work Session – August 15, 2017
- III. Citizen's Concerns
- IV. Public Hearing
- V. Planner's Report
- VI. Other Business
 - A. From the Commission
 - B. From Staff

Commission meets the third Tuesday of each month.

Next scheduled meeting: October 17, 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: September 13, 2017



September 12, 2017

To: Yachats Planning Commission

From: Larry Lewis, City Planner

**Re: Yachats Comprehensive Plan
Planning Commission Review of Goals A-D**

The Planning Commission is currently reviewing and updating the Yachats Comprehensive Plan Goals and Policies. This memorandum provides a summary of the Planning Commission's review and recommendations for Goals A-D.

GOAL A. PROTECTION OF NATURAL RESOURCES

The Planning Commission reviewed Comprehensive Plan Goal A. Protection of Natural Resources at the May work session.

Stream Protection. The Commission discussed the purpose and intent of the Comprehensive Plan versus the Zoning & Land Use Code. It was noted that the Comprehensive Plan Goals and Policies are overriding policies and the Zoning & Land Use Code is the appropriate document to implement the policies and to provide specificity. The Commission agreed that Policy 13 should be changed to provide an overriding statement about stream and creek protection. Existing Policy 13 is stated below in ~~striketrough italics~~ and followed by the recommended revision.

[Existing] Policy 13.

~~Where streams and creeks intersect the Shoreland, a 25 ft. buffer shall be maintained; and where a stream and creek intersect the river edge, a 50 ft. buffer shall be maintained. The buffer is to be measured from the top of the bank; within this buffer zone, existing vegetation shall not be removed. Noxious weeds and invasive plants shall be exempt from this restriction.~~

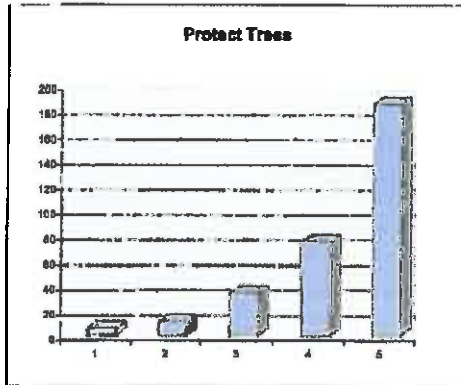
[Recommended] Policy 3.

The City shall protect streams and creeks.

Tree protection and view protection was discussed at the work session. The Commission determined that policies related to tree and view protection should be addressed separately once the current ongoing Comprehensive Plan review and update is completed. The Commission asked about the tree protection and view protection results of the survey conducted in 2008 when the Comprehensive Plan was last updated. The exhibit below shows the community expressed strong desires to protect both trees and views.

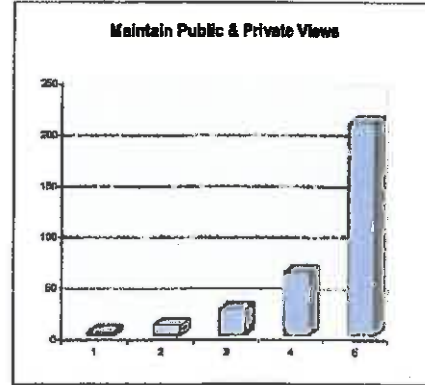
Summary from All Surveys

Q19. - trees	Median	Mean	Freq:	1	2	3	4	5	Total
	5	4.4		5	10	33	74	184	308



Summary from All Surveys

Q19. - views	Median	Mean	Freq:	1	2	3	4	5	Total
	5	4.5		2	9	25	61	207	304



Natural Resources Map. The Commission discussed the need to update the Natural Resources Map. A draft updated Natural Resources map is attached. There are a couple discussion items for the Commission to address:

- The draft map is a “Natural Resources Map” whereas the current map is a “Recreation & Natural Resources Map”. If the Commission determines the ‘recreation’ needs to be maintained, parks, trails and possibly other open spaces need to be added.
- The draft “Natural Resources Map” includes the special flood hazard zones, the distant tsunami boundary, and the local tsunami boundary. These really are not considered ‘natural resources’ so the Commission may either want to delete these items or possibly rename the map.
- The existing Comprehensive Plan Inventory identifies and describes the following Natural Resources: Fish & Wildlife; Water Areas; Historical and Archaeological; Mineral Resources; Scenic Views and Sites; Oregon Coast Trail; Oregon Coast Bicycle Route; Yachats Village Circulation Plan (North/South Trail Connection, Integrated Loop System, Yachats Community Park Trail System, and Highway 101 Sidewalks); Open Space.

GOAL B. PROTECTION OF ESTUARINE RESOURCES

At the May work session, the Commission asked for a clarification of the Estuary – Natural Management Unit. The description of the Natural Management Unit is provided below. This is the description of the Alsea Bay Natural Management Unit which is the same as described in the Lincoln County Estuary Plan.

(1) Natural

Natural units are designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological, and evolutionary processes. Such areas shall include, at a minimum, all major tracts of salt marsh, tideflats, and seagrass and algae beds.

Permissible uses in natural management units shall include the following:

- (a) undeveloped low-intensity, water-dependent recreation;
- (b) research and educational observation;
- (c) navigation aides, such as beacons and buoys;
- (d) protection of habitat, nutrient, fish, wildlife and aesthetic resources;
- (e) passive restoration measures;
- (f) dredging necessary for on-site maintenance of existing functional tidegates and associated drainage channels and bridge crossing support structures;
- (g) rip-rap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archaeological values; and public facilities; and
- (h) bridge crossings.

Where consistent with the resource capabilities of the area and the purposes of this type of management unit, the following conditional uses may be allowed:

- (a) aquaculture which does not involve dredge or fill or other estuarine alteration other than incidental dredging or harvest of benthic species or removable in-water structures such as stakes or racks;
- (b) communication facilities;
- (c) active restoration of fish and wildlife habitat or water quality and estuarine enhancement;
- (d) boat ramps for public use where no dredging or fill for navigational access is needed;
- (e) pipelines, cables and utility crossings, including incidental dredging necessary for their installation;
- (f) installation of tidegates in existing functional dikes;
- (g) temporary alterations;
- (h) bridge crossing support structures and dredging necessary for their installation.

A use or activity is consistent with the resource capabilities of the area when either the impacts of the use on estuarine species, habitats, biological productivity and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education.

GOAL C. PROTECTION OF SHORELAND RESOURCES

The Planning Commission reviewed Comprehensive Plan Goal C. Protection of Shoreland Resources at the June and July 2017 work sessions. The Commission discussed the purpose and intent of the Comprehensive Plan versus the Zoning & Land Use Code. It was noted that the Comprehensive Plan Goals and Policies are overriding policies and the Zoning & Land Use Code is the appropriate document to implement the policies and to provide specificity.

Currently, Goal C includes some policy language that is very specific and more appropriate for the Zoning & Land Use Code versus the Comprehensive Plan. The Commission agreed that Policies 3, 4, and 5 should be changed to provide overriding statements about protection of shoreland resources. The existing policies are stated below in ~~strikethrough italics~~ and followed by recommended policy statements.

[Existing] Policy 3.

~~In the Shorelands along the river, a 50-foot buffer strip, measured horizontally from the edge of the bank shall be maintained. In the first 30 feet, the existing riparian vegetation shall not be removed. In the latter 20 feet, slight vegetative alteration will be allowed as long as the overstory is retained. Minor access paths leading to (but not parallel to) the river shall be allowed as long as the overstory is not disturbed. Noxious weeds and invasive plants shall be exempt from this restriction.~~

[Recommended] Policy 3.

In order to recognize, protect, and maintain the value of the Yachats River, a buffer shall be provided from the edge of the bank. The buffer will contribute to maintenance and enhancement of water quality, fish and wildlife habitat, recreation and aesthetics, and provide open space. The buffer will also help protect property from flooding and help manage stormwater drainage.

[Existing] Policy 4.

~~On shorelands along the ocean, a 25-foot buffer strip from the top of the bank shall exist wherein existing stabilizing vegetation shall not be removed.~~

[Recommended] Policy 4.

In order to recognize, protect, and maintain the value of the ocean, a buffer shall be provided from the top of the bank. Existing stabilizing native vegetation shall not be removed within the buffer in order to help stabilize the bluff and mitigate erosion. The buffer will also help protect adjacent property from flooding and erosion.

The Planning Commission discussed Policy 5 regarding structural stabilization methods along shorelines. The existing policy state priorities for shoreline stabilization for erosion control. There was discussion whether the policy is too specific. It was noted that Policy 5 is

the same as the Zoning & Land Use Code Section 9.52.090. Existing Policy 5 is stated below.

[Existing] Policy 5.

~~Land use management practices (such as setbacks and maintenance of riparian vegetation) and non-structural alternatives shall be preferred methods of shoreline stabilization. Structural stabilization methods (such as riprap and bulkheads) shall be allowed when necessary for the protection of existing land uses and resources, and when designed to minimize adverse water quality, habitat and environmental impacts. Where riprap, bulkheads or seawalls are proposed as shoreline protective measures, evidence shall be provided that higher priority methods of erosion control will not work. The priorities for shoreline stabilization for erosion control are (from highest to lowest):~~

- ~~a. Proper maintenance of existing riparian vegetation~~
- ~~b. Planting of riparian vegetation~~
- ~~c. Vegetated riprap~~
- ~~d. Non-vegetated riprap~~
- ~~e. Bulkhead or seawall~~

[Recommended] Policy 5.

The City shall provide implementing ordinances in the Zoning & Land Use Code to protect, maintain, and stabilize the shoreline. Stabilization and erosion control methods shall be included in the Zoning & Land Use Code.

GOAL D. CONSERVATION OF ENERGY

At the August 15, 2017 work session, the Planning Commission recommended the following Goal D updates:

The City supports the energy conservation efforts of its residents and business owners and encourages the use of energy-efficient procedures and the use of alternative, renewable energy sources.

Policies

1. The City shall encourage future developments to use energy efficient design, siting and construction, e.g., “green” building practices.
2. The City shall encourage non-polluting alternative energy sources such as solar, wind and wave power.
- ~~3. The City shall make available educational materials regarding energy conservation, e.g., tools and techniques Yachats area residents and business owners could use to promote energy conservation.~~
43. The City shall seek and support programs that provide or subsidize alternate energy or energy efficient technology. These technologies may include insulation and weatherization of habitable building, installation or energy efficient water heating systems, or energy efficient heating systems.

54. The City shall encourage the use of modes of travel that contribute to clean air and energy efficiency.

Proposed Actions

- a) The City shall develop and/or ~~provide~~ **make available** educational materials about ~~green~~ **using alternative/renewable energy sources and following environmentally sustainable and energy efficient** building practices for the public.
 - b) The City shall demonstrate and use energy conservation principles and practices.
 - c) The City shall investigate opportunities and assist development of alternate energy sources, such as wind and water, subject to reasonable safety, noise, and visual controls.
 - d) The City shall develop guidelines and/or ordinances for ~~'green'~~ **using alternative/renewable energy sources and following environmentally sustainable and energy efficient** remodeling and initial construction for both residences and business owners.
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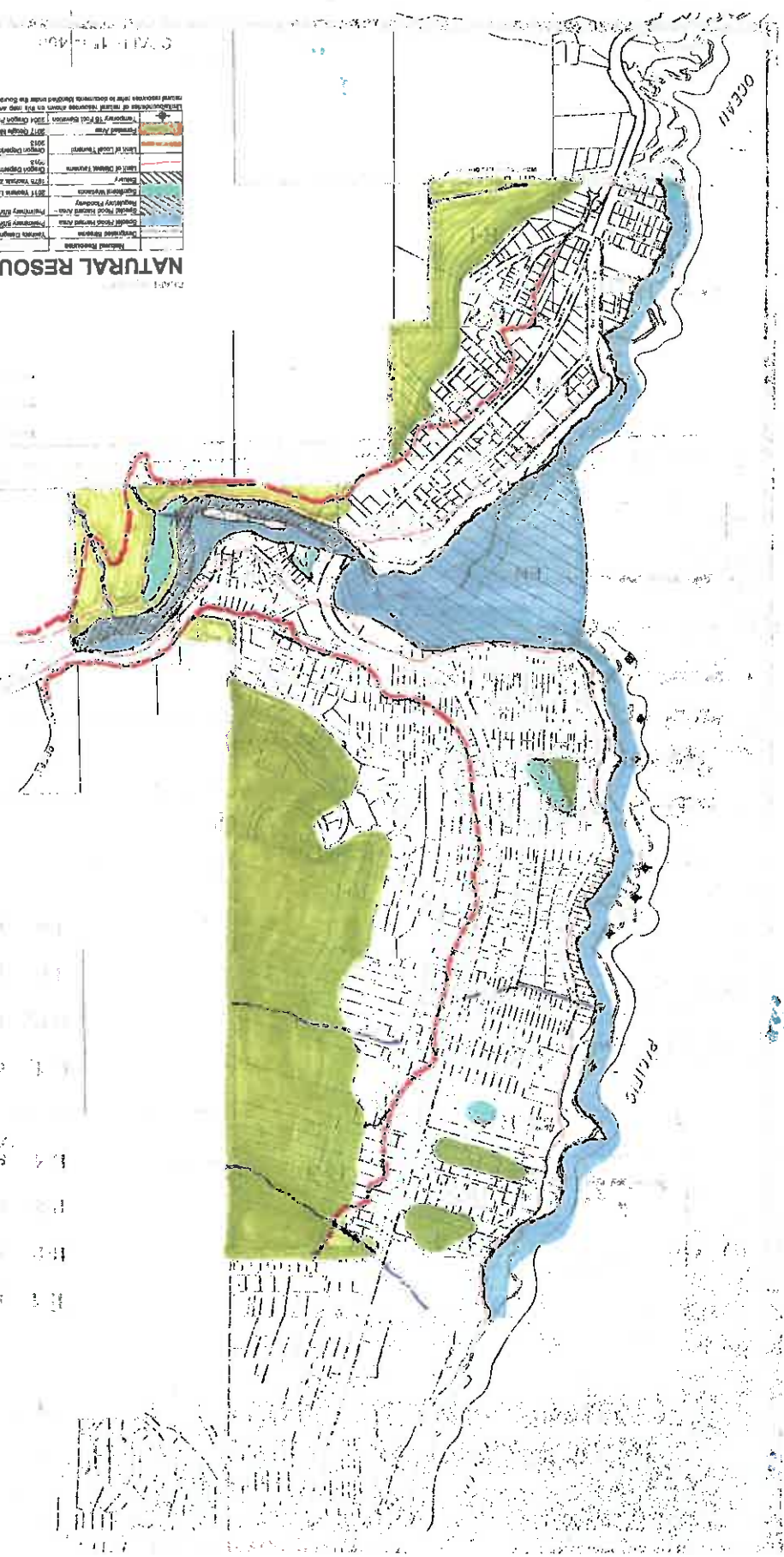
NATURAL RESOURCES MAP

1. General Information Name: _____ Matr. No.: _____ Group: _____	2. Introduction The purpose of this experiment is to determine the concentration of a solution of a certain substance. This is done by measuring the absorbance of the solution at a certain wavelength and comparing it with the absorbance of a standard solution of the same substance.														
3. Theoretical Background The absorbance of a solution is a measure of the amount of light that is absorbed by the solution. It is defined as the negative logarithm of the transmittance, which is the ratio of the intensity of the light that passes through the solution to the intensity of the light that enters the solution.	4. Experimental Procedure The following steps were followed in the experiment: - Preparation of standard solutions of the substance. - Measurement of the absorbance of the standard solutions at a certain wavelength. - Preparation of the unknown solution. - Measurement of the absorbance of the unknown solution at the same wavelength. - Calculation of the concentration of the unknown solution using the Beer-Lambert law.														
5. Results and Discussion The results of the experiment are shown in the following table: <table border="1"> <thead> <tr> <th>Concentration (M)</th> <th>Absorbance</th> </tr> </thead> <tbody> <tr> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>0.02</td> <td>0.10</td> </tr> <tr> <td>0.04</td> <td>0.20</td> </tr> <tr> <td>0.06</td> <td>0.30</td> </tr> <tr> <td>0.08</td> <td>0.40</td> </tr> <tr> <td>0.10</td> <td>0.50</td> </tr> </tbody> </table> The results show a linear relationship between the concentration of the solution and its absorbance, which is in agreement with the Beer-Lambert law.	Concentration (M)	Absorbance	0.00	0.00	0.02	0.10	0.04	0.20	0.06	0.30	0.08	0.40	0.10	0.50	6. Conclusion The concentration of the unknown solution was determined to be 0.08 M.
Concentration (M)	Absorbance														
0.00	0.00														
0.02	0.10														
0.04	0.20														
0.06	0.30														
0.08	0.40														
0.10	0.50														

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Goal E. *Protection from Natural Hazards and Disasters*

Through regulation of the location and type of development, the City shall work to protect life and property from natural disasters and hazards, such as landslides, fires, tsunamis and flooding. The City recognizes that with the reduction of wildland fuels, we move closer to achieving the goal of all structures surviving an on-coming fire. The City regulates activities in known areas of natural hazards and limits development that may affect the integrity of steep slopes or impact fire hazards.

Policies

1. Information and recommendations contained in current Environmental Hazard Inventory Coastal Lincoln County, Oregon by RNKR Associates shall serve as the basis for future land use determinations in hazard areas. The RNKR Associates Study is incorporated into the Yachats Comprehensive Plan.
2. Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural hazards without appropriate effective mitigation strategies. Such strategies shall be attested to by a State of Oregon certified engineering geologist.
3. New construction or substantial improvements in identified flood hazard areas shall have the lowest floor level elevated to or above the 100-year flood level.
4. Low density and open space uses that are least subject to loss of life or property damage shall be preferred uses in flood-prone and steep-sloped areas.
5. The density of development shall be no greater than the slope can safely accommodate.
6. Developers of property where a geotechnical report is required shall be required to post a 100% performance bond guaranteeing that specified conditions will be met and appropriate safeguards provided.
7. Developments adjacent to the Yachats River shall be planned to minimize any aggravation of the turbidity and seasonal low-flow situation.
8. The City shall address concerns regarding forest activities that might adversely affect the City to the Oregon Department of Forestry.
9. The City shall participate in Community Emergency Response Team (CERT) Programs and will help or take the lead to inform its residents and business owners about preparedness measures.
10. The City shall develop a citywide storm water management infrastructure.
11. The City is committed to supporting the fire district in its fire protection efforts, both short and long-term.
12. The City shall support the Lincoln County Community Wildfire Protection Plan (CWPP) when it is completed and approved.
13. The City shall access and utilize federal and other grant dollars to implement measures to protect against natural hazards and disaster.

14. The City shall set realistic expectations to reduce wildland fire risk, prepare for, respond to, and suppress wildland and structural fires.

Proposed Actions

- a) The City shall amend the City codes as necessary to reflect best practices related to natural hazard and disaster prevention and mitigation.
- b) The City shall prepare and distribute tsunami preparedness information to all residents, property owners and business owners in the City. The City shall make the information available at tourist accommodations and points of interest.
- c) The City shall participate in emergency preparedness training drills on a regular basis with other agencies and jurisdictions.
- d) Applications for subdivisions and Planned Unit Developments shall include plans for storm water management and a performance agreement, bond, contract or other assurance for completion of the plan.
- e) Requests for building permits shall include plans for storm water management.
- f) The City shall, in conjunction with the County, develop a Yachats Community Wildfire Protection Plan (CWPP) in accordance with the Healthy Forests Restoration Act of 2003 and the FEMA Disaster Mitigation Act of 2000. The CWPP will be developed through community effort, based on the twin goals of reduction of wildland fire risk to residents and the environment within the Yachats Urban Growth Boundary (UGB) and a safe work environment for fire suppression forces.
- g) The City shall seek formal government approval of the Yachats CWPP.

City of Yachats
2017 LAND USE / BUILDING PERMIT ACTIVITY

For the Period August 9, 2017 through September 12, 2017

Date	Application/ Activity	Owner/Applicant	Tax Map/Lot Location	Zoning	Description	Status
8/14/17	Building Permit	Timothy Tillman	14-12-27DA/800 335 King St	R-1	Add access stairway and deck to garage	Approved 8/15/17
8/14/17	Building Permit	Dollar General	14-12-27AD/3700 935 N Hwy 101	C-1	New free-standing sign	Pending revision to conform to total sign area requirement
8/15/17	Building Permit	Ellis Lampman	14-12-27AA/803 129 Springhill	R-3	Rebuild deck	Approved 8/15/17
8/15/17	Building Permit	Linda Hetzler	14-12-27DA/3600, 4000, 4100 124, 119, 130 N Hwy 101	C-1	Walkway/deck	Approved 8/22/17
8/28/17	Manufactured Home Placement Permit	Tom & Sheree Kennedy	14-12-27AA/6700 772 Aqua Vista Lp	R-2	New manufactured home	Approved 8/29/17

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**CITY OF YACHATS
PLANNING COMMISSION**

August 15, 2017

Work Session Minutes

Chair Helen Anderson called the August 15, 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, JD Deriberprey, Ginny Hafner, James Kerti, Shelly Shrock. Absent: Christine Orchard, Ron Urban. Staff: City Planner Larry Lewis. Audience: 0.

I. Discussion Topics

A. Review past Planning Commission recommendations

Commissioner Shelly Shrock noted it had been nine months since the Commission sent its recommendation on Formula Businesses to the Council and was concerned about getting code in place as there are seven commercial lots for sale on the north end of the city. Commissioner Anderson reported Manager Davies, Councilor Frye, and the City Attorney were now handling the issue. Anderson indicated the attorney wanted the Commission to involve him earlier in the process of drafting legislation and that what was submitted was lacked clear definition of the harm that would be caused by formula businesses. Shrock noted the Commission had taken language from existing code in other jurisdictions and provided justification from the Comprehensive Plan. Commissioner Hafner asked if the proposal could come back to the Planning Commission for revision. Anderson noted the City Attorney's involvement might play a role in whether the Commission gets to revise the proposal. Commissioners expressed frustration over not getting feedback on prior proposals. Shrock noted the amount of time required just to conduct the formal part of amending Code, including drafting the ordinance, having a public hearing, having the ordinance approved by other governmental agencies, and the Council's final vote.

Shrock asked there be more communication between the Planning Commission and the City Council, such as a report from the Council on updates of Planning business. Commissioner Deriberprey suggested reading the Council minutes and talking to Councilors. Anderson noted different Councilors might give different answers. Shrock asked if the Planning Commission could ask for follow up on matters we send to the Council. Anderson noted the Commission does not fall into the regular report categories on the Council's agenda, such a department reports.

Hafner reported Mayor Stanley recently asked her when the Planning Commission was going to send a report on tiny houses. Anderson noted she had sent the memo all Commissioners reviewed to Manager Davies to forward to Councilors. She noted Councilor Glenn had mentioned this memo to her. Anderson indicated she would follow through on this matter with Manager Davies.

Anderson reported the Council had not voted on Ordinance 345 making vacation rentals an outright use in residential zones. She recalled Councilor Scott had asked the Commission to establish the status of vacation rentals as either a conditional or an outright use, as it was then currently not specified in the code. Scott believed the use should be outright. Anderson stated she was not in favor of specifying vacation rentals as an outright use as that would be in conflict with other parts of the code that require businesses to get conditional use permits for operations in residential zones. She reported Manager Davies had indicated the Council vote on the Ordinance had been on the agenda in the latter part of 2016 and then was dropped at the end of 2016. Some Councilors were in favor of making vacation rentals a conditional use in residential zones, especially to allow neighbors to give input in the licensing process.

1
2 Anderson stated she understood from a discussion with Manager Davies that the Commission could
3 deny a conditional use based on neighbors not wanting the vacation rental. Lewis disagreed, stating a
4 denial must be based on not following established standards. Commissioners discussed the standards
5 that exist via licensing requirements and whether they are businesses. Deriberprey suggested a long-
6 term rental is also a type of business if a business means earning income from your property. Lewis
7 stated he saw requiring a conditional use permit for a vacation rental to be the exception. He
8 suggested problems around vacation rentals are more about code enforcement than the existence of
9 standards. Lewis believed the licensing checklist included sufficient standards.

10
11 **B. Preparation for revisiting conditional use #1-CU-PC-14 Hetzler – Parking Analysis**

12
13 Commissioners expressed concern over getting the meeting information so late. Anderson stated she
14 would ask Clerk Jackson to post the agenda ASAP even if not all supporting documents are available.

15
16 Kerti asked for more information on the agenda item for Hetzler's conditional use. Lewis indicated
17 Linda Hetzler was going to present an update. Anderson summarized a short history of this conditional
18 use application. Commissioners were confused about what elements of Hetzler's properties should be
19 addressed when assessing parking requirements. Shrock and Anderson recalled different numbers
20 than what Lewis was presenting. Lewis asserted 20 off street parking spaces were required, assuming
21 spaces for the restaurant and storage were grandfathered in. Anderson asked Lewis to make copies of
22 his documents so Commissioners could review before Hetzler arrived. Lewis indicated Hetzler could
23 address questions Commissioners were raising.

24
25 **C. Comprehensive Plan Goal D – Protection of Shoreland Resources**

26 Commissioners missed having the expertise of Commissioner Urban at this time.

27
28 Deriberprey noted "green" in action item d is not precise and suggested more specific language.
29 Anderson suggested the language, "using alternative/renewable energy sources and following
30 environmentally sustainable and energy efficient" to replace "green" in action items a and d.

31
32 Kerti noted policy 3 is essentially action item a and could be removed.

33
34 Commissioners discussed whether they should be addressing which goals and policies need more
35 attention for implementing. Anderson agreed that after the Commission reviews the goals, they would
36 establish priorities for implementation.

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38 Anderson adjourned the work session at 2:43 pm.

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Helen Anderson, Chair

Date

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Minutes prepared by H H Anderson on August 17, 2017

YACHATS PLANNING COMMISSION

August 15, 2017

Regular Meeting Minutes

Chair Helen Anderson called the August 15, 2017 regular meeting of the Yachats Planning Commission to order at 3:00 pm in Room 1 of the Yachats Commons. Members present: Helen Anderson, James Kerti, JD Deriberprey, Ginny Hafner, Shelly Shrock. Absent: Ron Urban, Christine Orchard. Audience: 1.

I. Announcements and Correspondence - none

II. Minutes

A. Regular Meeting and Work Session of July 18, 2017

Commissioner Hafner moved to approve the July 18, 2017 work session minutes and regular meeting minutes of the Planning Commission: Aye - 5; No - 0; Abstain - 1 (Shrock, absent)

III. Citizen's Concerns

Linda Hetzler reviewed her application for conditional use (1-CU-PC-14 Hetzler) to operate a hotel on part of the Drift Inn properties. One condition was to remove the manufactured home on Tax Lot 14-12-27-DA-03100 within 3 years. She reviewed the changes she had made regarding parking and property acquisition since that conditional use hearing. Planner Lewis and Hetzler noted the parking in Tax Lot 3100 was volunteered and not required by the conditions of the conditional use agreement.

Hetzler reported she is currently negotiating purchasing the old Laundromat building and the Landmark building to convert to hotel rooms, storage, and office space. Hetzler wanted to know if the parking in Tax Lot 3100 would be sufficient to cover parking requirements should she acquire these new properties, noting Tax Lot 3100 is within 500 feet of the buildings.

Recent changes included:

1. Adding additional off street spaces in Tax Lot 4000.
2. Converting 260 E 2nd St to three hotel rooms when there are 2 current off street spaces (net need of one additional space).

Potential changes included:

1. Adding at minimum 14 off street spaces in Tax Lot 3100 by removing the manufactured home (net addition of 14+ spaces).
2. Converting the old Laundromat with 3 off-street spaces to two hotel rooms, office space, and storage (1 space for office and 2 spaces for hotel results in no need for additional spaces).
3. Converting the Landmark building with 3 off street spaces to 10 hotel rooms (net need of 7 additional spaces).

After discussion, Anderson stated Tax Lot 3100 would be sufficient to address proposed additional off street parking needs.

Hetzler was informed:

1. The conditional use permit for the 260 E 2nd St property (Tax Lot 3700) could be addressed by modification of the existing conditional use application as the original application was for 15 total rooms and these three additional rooms do not exceed the total of 15 rooms across all involved lots.

1 2. A conditional use permit would be needed for acquiring new properties that are converted to
2 hotel rooms as these properties are less than 1 acre (Yachats Code 9.24.030.P).
3

4 **IV. Public Hearing – none**
5

6 **V. Planner's Report**

7 Lewis summarized his report for June 14, 2017 to August 8, 2017. Lewis noted the new Fire
8 Station building is not within the City limits and is not required to have public sewer.
9

10 **VI. Other Business**

11 **A. From the Commission**
12

13 **B. From Staff - none**
14

15 With no further business before the Commission, Anderson adjourned the meeting at 3:46 pm.
16
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20 _____
21 Helen Anderson, Chair

_____ Date

22
23 Minutes prepared by H H Anderson on August 17, 2017.

YACHATS PLANNING COMMISSION

September 19, 2017

Work Session Minutes

Vice-Chair Ron Urban called the September 19, 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, James Kerti, JD Deriberprey, Christine Orchard, Shelly Shrock. Absent: Ginny Hafner. Audience: 0.

I. Commissioner Concerns

Commissioner Deriberprey asked about the formula business regulations being returned to the Planning Commission. The City Council voted at their September 13, 2017 meeting to send the matter back to the Commission to address issues raised by the City Attorney if the City Manager did not have time to revise the current proposal.

Deriberprey asked for clarification on the removal of the building on the parking lot as part of the 2014 Hetzler conditional use permit. Deriberprey noted the minutes from the August 2017 meeting implied removal of the building was voluntary when the conditional use stipulated the building "shall be removed." Commissioner Anderson indicated she would stipulate an amendment to the August 2017 minutes to state, "The 1-CU-14 Hetzler permit indicates removal of the building is required."

Commissioners struggled to find the minutes in the Document Library. Planner Lewis noted that when the entire meeting packet was scanned as one document, commissioners did not have difficulty in finding meeting materials. Anderson asked Lewis to report the problem to Manager Davies.

Urban recalled the Light Industrial definition created by the Commission has not been forwarded to anyone. Urban expressed concern that work and proposals by the Planning Commission are not making it through the appropriate channels to reach a vote by the City Council. Anderson reviewed the process of the Commission's work getting to the City Manager, the City Attorney, and then to the Council. Councilor Shrock asked that the Commission be updated. Anderson noted no one had seen a document in the Document Library indicating the rejection of Planning Commission's proposal on making vacation rentals an outright use in residential zones. Deriberprey asked about the Commission making a regular report to Council. Commissioners agreed that when a Planning Commission proposal is before Council for a vote, a representative from the Commission would be present. This role would be assigned on an as needed basis.

Anderson proposed the Chair of the Planning Commission assume responsibility for assuring proposals go through the proper channels to get to ordinance form. Commissioners discussed the appropriate places in the Code for the Light Industrial definition, noting 9.04.030 is for general definitions. Anderson asked what standards or regulations would apply to Light Industrial. Lewis noted other cities have zones for Light Industrial, rather than solely addressing the use as a conditional use.

Lewis stated a public hearing is required to include a new definition in the Code. He reminded the Commission that the Department of Land Conservation Development requires a 35-day notice and that the City must notify all residents affected by the proposed change 21 days prior to a hearing. Lewis and Commissioners discussed the work requirements of the City to do such a mailing and the option to group multiple minor code adjustments into one public notice. Lewis also noted Land Use Applications must be posted 7 days prior to a meeting.

Commissioner Kerti expressed concern over minutes for all Commissions not being posted with enough time to review before meetings. Anderson stated she would distribute minutes as soon as they are completed and the agenda would be posted a week prior to the meeting. Commissioners discussed the process for getting documents online in the Documents Library and how that process is impeding getting information distributed. Anderson suggested a work-around where a "dummy" agenda could be posted so relevant documents could be posted as they become available.

Urban stressed the importance of having follow-through with the Commission's work. Commissioners discussed how it took a citizen raising the Formula Business regulation issue at a Council meeting to get the Council to take action on the proposal. Commissioners briefly discussed having vacation rentals be a conditional use versus outright use.

II. Goals A-D Comprehensive Plan

Lewis stated he created this summary for Commissioners to review for accuracy. Anderson noted a potential typo on Goal A Policy 13 or 3. Lewis noted the polarization around the issue of view versus tree protections, noting that legislation has likely not occurred because of the difficulty in getting consensus. Lewis indicated other jurisdictions have used overlay zones to address more controversial issues, and it is more difficult to enact restrictions in more developed areas.

Deriberprey asked if the Council had voted on the recommended changes to building height exception (9.52.170). Anderson indicated she would follow up on this issue.

Commissioners discussed what should be included on the Recreation and Natural Resources Map per questions raised by Lewis in his summary packet. Kerti noted the map is first mentioned in Goal B Policy 3 and 4, requiring that the map shall note access points and ADA compliancy. Kerti noted Policy 3 refers specifically to development "for purposes of resource management."

Lewis clarified the Natural Management Unit is confined to areas where salt and fresh water mix. Commissioners discussed access points such as the stairs on the south side of the bay and trails to the beach along Ocean View Drive. Lewis noted the rocky cliffs and tide pools are not included on the current map. Lewis indicated he would add the coastline features to the map. Commissioners agreed they could identify the access points once Lewis has identified the resources. Commissioners agreed the tsunami and flood hazard areas could be removed from the resources map. Anderson suggested highlighting the buffer zones to scale on the map or as an overlay for the map.

Urban adjourned the meeting at 3:00 pm.

Ron Urban, Vice-Chair

Date

Minutes prepared by H H Anderson on October 3, 2017.