

YACHATS PLANNING COMMISSION

May 15, 2018

Approved Minutes

Chair Helen Anderson called the May 15, 2018 meeting of the Yachats Planning Commission to order at 3:03 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Ginny Hafner, Mary Ellen O'Shaughnessey, Shelly Shrock, and James Kerti. Absent: Christine Orchard. Staff present: City Planner Larry Lewis. Audience: 3.

I. Announcements and Correspondence - none

II. Minutes

A. April 17, 2018 Work Session Meeting

Page 1, Line 15: change "sings" to "signs"

Commissioner Urban moved to approve the April 17, 2018 Planning Commission work session minutes as amended: Aye - 6; No - 0.

B. April 17, 2018 Regular Meeting

Page 1, Lines 43-44: change "building had begun on the site" to "building had begun on the South Tank site"

Page 2, Lines 23-24: change "ask her about issues being addressed at the Planning Commission." to "ask her about potential issues that might be addressed at the Planning Commission meeting."

Page 2, Line 46: change "consequences on" to "consequences of"

Commissioner O'Shaughnessey moved to approve the April 17, 2018 Planning Commission meeting minutes as amended: Aye 6; No - 0.

III. Citizen's Concerns

Jacqueline Danos (116 Spring Hill) indicated she has reviewed the building code and made comments on the issues she thought needed addressing. She provided a handout of her comments.

IV. Public Hearing

A. Case File #1-PAR-PC-18 Lot Partition Application – Nicholas Alexander

Anderson opened the Public Hearing on file #1-PAR-PC-18 and recorded

1. No person objected to the jurisdiction of the Planning Commission to hear this case
2. No Commissioner wished to abstain because of conflict of interest or concern for impartiality

3. All Commissioners declared ex parte contact in having visited the site (individually)

4. The Commission had been given all testimony submitted to date

5. Commissioners believed they have had adequate time to review the application

Planner Lewis summarized the Public Hearing process. Lewis summarized the application and relevant City Code as presented in his Staff Report. Lewis indicated the resulting subplots met code requirements. Lewis noted that a minor change was made to the west setback to Parcel 2, which was adjusted so that the west setback met the required setback for the deck. Lewis noted the access for the property is through two fifteen (15) feet easements on the existing property and the property to the north to meet the 30-foot width for an access road. These easements provide adequate access to Parcel 1. Lewis also noted that the existing driveway on Parcel 2 would cut

1 across a section of Parcel 2; therefore, both parcels would need easements from each other to
2 share a driveway access point.

3
4 Lewis noted there was one letter of opposition to the participation, and that letter was included in
5 the Staff Report packet.

6
7 Lewis highlight the four recommendations should the Planning Commission decide to move
8 forward with the application:

- 9 1. Language on conducting the lot surveys and submitting updated plats.
- 10 2. Language to declare that Parcel 1 shall have access and utility easements across the 15-
11 foot easement of Parcel 2 and across the 15-foot easement of the adjacent northerly
12 property.
- 13 3. Language to require the continuation of the fifteen (15) foot easement and to note that
14 easement on the adjusted plats.
- 15 4. Language to establish easements if access to either parcel encroaches upon the other
16 and to show that easement on the adjusted plats.

17
18 Shrock asked Lewis for clarification of the two 15-foot easements. Lewis indicated legal access
19 from the easement across the northern property would be established in the platting process.

20
21 Hafner clarified that the original property line adjustment to meet 6-feet 8-inch setback required for
22 the 20-foot high deck, which mean the original 5-foot setback was changed to 6-feet 8-inches.

23
24 Hafner clarified that the maximum 12 dwelling units per acre is a stipulation for the R-3 zones.

25
26 Anderson opened to the Public Input portion of the hearing. There was no representative of the
27 applicant at the hearing.

28
29 Leslie Vaaler (205 Radar Rd) asserted the property is currently for sale by Coastal Realty and the
30 MLS indicates the property is a duplex. She noted the advertisement for the property states the
31 basement is a "legal duplex." She also noted the listing indicates the lot is .2 acres, rather than the
32 current .37 acres indicated on the Lincoln County Assessor's Office website, potentially implying
33 the lot partition has already been approved. Vaaler had concerns about increasing the traffic on
34 King Street, which is very narrow.

35
36 Jacqueline Danos indicated she agreed with Vaaler about negative consequences of adding
37 density to the area, noting there are other lots in that area available for development.

38
39 With no further persons wishing to provide testimony, Anderson closed the Public Input portion of
40 the hearing.

41
42 Anderson noted that a duplex would require 6,000 square feet for the first unit and 2,500 for the
43 second unit, or 8,500 total square feet of lot size. Lewis clarified that a duplex only requires 7,500
44 square feet of lot size (the 6,000/2,500 amounts apply to multi-family units).

45
46 Hafner requested clarification on which parcel was listed for sale. Danos indicated the real estate
47 ad indicated the real estate sale is for what would be Parcel 2 only. Kerti noted that the website
48 listing the property had been updated that day, and clearly indicated the home was a duplex.

49
50 Commissioners noted the application indicated the partition was for a single family home. Lewis
51 noted that the original paper application does not specifically ask about house type or required
52 parking spaces. Lewis noted he assumed it was a single family home.

1
2 Anderson asserted that, given lack of specificity on the application, the hearing be continued to a
3 later date when the Commission has accurate information about the house and parking
4 requirements.

5
6 Shrock suggested that whether the home was a single family home or a duplex, the requirements
7 for a partition are still met. Anderson noted that four parking spaces would be required for a
8 duplex, and the Commission does not have that information at present.

9
10 Commissioners were concerned about potential deception in the application. Hafner wanted to
11 request that a representative be at the continued hearing.

12
13 Shrock moved to continue the hearing on case file #1-PAR-PC-18 to June 19, 2018 at 3:00 pm
14 with a representative of the applicant present: Aye – 5; No – 0.

15 16 **V. Planner's Report**

17 Lewis summarized his Planner's Report in the meeting packet.

18
19 Lewis reported he met with the Lincoln County Building official and the architect representing
20 Nathan Barnard (Farm Store) on getting proper permits. Lewis noted the architect appeared to
21 have an understanding of the permitting and building code requirements. Barnard and the
22 architect indicated they would have a plan to proceed within three months. Lewis indicated that
23 because the property is non-residential, the plan would have to go to a commercial building
24 contractor in Eugene who assesses commercial properties.

25 26 27 **VI. Other Business**

28 **A. From the Commission**

29 Anderson reported Councilor Glenn attended an affordable housing meeting in Newport where he
30 received a list of suggestions for encouraging the creation of affordable housing. Glenn wanted
31 the Planning Commission to assess what is possible within the Yachats Municipal Code.

32 Anderson explained that accessory dwelling units (ADUs) are the current popular approach, but
33 that in Portland, ADUs were being occupied by the property owner and the main house being
34 turned into a vacation rental.

35
36 Lewis noted he recently received notice of new legislation that requires cities over 2,500 people to
37 allow at least one ADU per property in R-1 zones. Lewis indicated he would provide the
38 information in the next meeting packet.

39
40 Kerti raised the possibility of allowing ADUs in Yachats given there is now a cap on vacation
41 rentals. Lewis noted he had seen code that requires the owner reside in one of the property's
42 dwelling units.

43
44 Anderson reported she asked the City Manager to ask the City Attorney if business licenses could
45 require a Certificate of Occupancy, which can only be obtained if they had required permits.

46
47 Anderson indicated she asked the City Manger about maintaining a tracking system of the
48 Commission's work online through a file-sharing site such as Google docs. Beaucaire did not see
49 a problem with this approach as long as the system was made public. Hafner did not want to
50 participate in an online tracking system. Kerti indicated he had some concern with conducting
51 business with a Google system. Hafner had concerns about whether working with an interactive
52 online document would constitute public meeting.

1
2 Urban stressed the importance of reviewing the Comp Plan at the next Planning Commission work
3 session.

4
5 **B. From Staff - none**

6
7 Lewis indicated he could submit the Comp Plan and Light Industrial code updates to OLCD as long
8 as the Commission works from the draft that was submitted to OLCD at the hearing. Lewis added
9 that Danos' report contained language that the Commission might want to consider for the Comp
10 Plan.

11
12 Anderson adjourned the meeting at 4:12 pm.

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14
15
16 _____
17 Helen Anderson, Chair

_____ Date

18
19 Minutes prepared by H H Anderson on June 7, 2018.
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