

YACHATS PLANNING COMMISSION

October 16, 2018

Approved Minutes

Chair Helen Anderson called the October 16, 2018 meeting of the Yachats Planning Commission to order at 3:06 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Ginny Hafner, Lance Bloch, Shelly Shrock, and James Kerti. Absent: Mary Ellen O'Shaughnessey. Staff present: City Planner Larry Lewis. Audience: 14.

I. Announcements and Correspondence - none

II. Minutes

A. September 18, 2018 Work Session Meeting

Dates at top of document indicate July 17, not August 21

Page 1, Line 24: remove period

Page 2, Line 19: change to "Kerti asked for a follow up on the Planning Commission..."

Page 2, Line 43: "generating list" should read, "generating a list"

Page 1, Line 41: Block should be Bloch

Commissioner Urban moved to approve the September 18, 2018 work session minutes as amended: Aye – 6; No – 0.

B. August 21, 2018 Regular Meeting

Page 1, Line 9: add Rick McClung to Staff present

Page 2, Line 8: add McClung after Plant Lead

Page 2, Line 15: delete "other water needs"

Page 2, Line 19: "draught" should be "drought"

Page 3, Line 19: "Uban's" should be "Urban's"

Page 3, Line 32: "City need" should be "City needs"

Page 3, Line 33: edit sentence to read, "Anderson explained the reason was so the City would have control over only issuing licenses to businesses in permitted buildings."

Page 3, Line 35: insert "(205 Radar Road) after "Leslie Vaaler"

Page 3, Line 40: "they license" should be "the license"

Urban moved to approve the August 21, 2018 Planning Commission meeting minutes as amended: Aye - 6; No – 0.

III. Citizen's Concerns

Craig Berdie (319 E 3rd Street) asked why the Landmark did not have a demolition permit or a barrier protecting the estuarine area. He reported his concern over future building and protecting the natural resources. Planner Lewis reported the County does not require demolition permits. Lewis indicated the property owner was aware that they would need a geotech report before pursuing any building. Lewis was not certain how the owners could have erected a barrier without digging into the protected area. Anderson reported there were three off-street parking spaces and the highway would no longer be grandfathered. She added that the 25-foot bluff setback would also apply to any new building. She noted the owners were aware that they have lost the grandfather status.

IV. Public Hearing on Title 9 Zoning and Land Use – Section 9.52.030 and Chapter 9.64 Clear Vision Standards

1 Lewis summarized that the draft ordinance moved language on clear vision standards from Section
2 9.52.030 on accessory uses to Chapter 9.64 on street construction and design. He noted the City
3 Attorney suggested making this change and the placement under accessory uses limits its
4 applicability. Lewis explained the clear vision zone at an intersection was the triangle established
5 by the area measured a distance back from the corner in each direction connected by the
6 hypotenuse. Lewis also noted that the application of a clear vision zone was added to intersections
7 of a street and a driveway.

8
9 Lewis reported three emails in favor of the changes were received from Barbie Bird, Dave and
10 Nancy Haverstock, and Paul and Maggie Marshall.

11
12 Lewis reported he sent Commissioners feedback from the City Attorney on grandfathering the
13 existing walls, fences, and hedges.

14 15 Public Input

16 1. Doug Conner (490 Lemwick Lane) noted the proposed ordinance dealt with the first
17 twenty feet for the lot. He wanted to see the Planning Commission take action to limit walls,
18 fences, and hedges along the rest of the lot. He noted County code required building
19 permits for walls and fences above six feet, but no requirement exists for a hedge. He read
20 a definition for "fence" from the Yachats Code, which included an unroofed barrier made of
21 "any other material," which could include a hedge.

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23 2. Fran Morse (636 Marine Drive) expressed support for the inclusion of driveways.

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25 Anderson clarified with Lewis that the City Code does not require permitting on hedges.

26
27 Anderson reported the Attorney had indicated three ways the Commission could address existing
28 conditions: 1. Not apply the ordinance to existing conditions, 2. Establish an amount of time for
29 people to come into compliance, or 3. Put the change into a section of Code other than Title 9 so
30 that it would go into effect immediately as a public health and safety issue.

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32 Commissioners discussed whether the portion of this regulation on vegetation could go into Title 5
33 on Health and Safety so that it would take effect immediately. Kerti suggested that residents
34 should have adequate time to come into compliance.

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36 Urban noted 9.64.010.A.2 stated the height limit to be 2.5 feet and the current ordinance stated 3
37 feet. Lewis reported he has consistently seen differences on clear vision standards versus
38 setbacks for fences, hedges, and walls.

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40 Commissioners agreed that the language should remain in Chapter 9.64 and they should ask the
41 attorney for a recommendation on the appropriate length of time to come into compliance. Urban
42 suggested adding an item K to 9.64.010 that specifies the amortization schedule for compliance.

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44 Kerti noted a section of Code that addressed bushes impacting sidewalks and streets.

45
46 Urban moved to recommend to Council the adoption of an ordinance on Clear Vision Standards
47 and Fences, Hedges and Wall regulations with a section K to include the schedule for coming into
48 compliance and to direct the City Planner to prepare the documents: Aye – 6; No – 0.

49 Anderson continued the public hearing to the November 27, 2018 at 3:00 pm.

50 51 **V. Planner's Report**

52 Lewis reported there was only one permit for a remodel.

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