

YACHATS PLANNING COMMISSION

June 20, 2017

Regular Meeting Minutes

Chair Helen Anderson called the May 20, 2017 regular meeting of the Yachats Planning Commission to order at 3:02 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, James Kerti, Christine Orchard, JD Deriberprey, Ginny Hafner. Absent: Shelly Shrock. Audience: 10.

I. Announcements and Correspondence - none

II. Minutes

A. Regular Meeting and Work Session of May 16, 2017

Commission Hafner asked that Line 16 on Page 1 of the Work Session minutes be struck. Commissioner Urban moved to approve the May 16, 2017 work session minutes of the Planning Commission as amended: Aye - 5; No - 0; Abstain - 1 (Commissioner Orchard, not present at meeting). Commissioner Deriberprey not in the room at time of vote.

Hafner moved to approve the May 16, 2017 regular meeting minutes of the Planning Commission: Aye - 5; No - 0; Abstain - 1 (Orchard, not present at meeting). Deriberprey not in the room at time of vote.

III. Citizen's Concerns - none

An audience member wanted to express concern about the Library potentially moving to the 501 Building. Anderson instructed suggested they send an email to the City Manager and/or speak at the City Council meeting. Deriberprey asked if their question was about a building code issue. The audience member asked about tearing down the library building as she has heard it from a public works staff person.

IV. Public Meeting

A. Request for Final Approval of Case File #1-THPUD-PC-16 Townhouse Planned Unit Development - Betty Trotter Koehler

Anderson explained the Planning Commission had previously held a public hearing on this application and had stipulated several conditions during that hearing. Anderson noted Planner Lewis had included in the meeting packet a description of the conditions requested and a statement on how those conditions were met by Koehler. Urban noted he was absent at the Hearing. Hafner and Commissioner Kerti noted they were not on the Commission at the time of the Hearing.

Orchard moved to give final approval for the request for #1-THPUD-PC-16 Townhouse Planned Unit Development (Betty Trotter Koehler): Aye - 6; No - 0.

V. Public Hearing

A. Title 9 Zoning & Land Use Code Amendment - Section 9.52.050 Hazard Areas

Anderson noted this is an administrative Public Hearing which does not need to follow the formal script. Anderson asked if any Commissioner's had any ex parte contact to report. Anderson summarized the language changes and asked the audience if they had any comments.

Urban moved to approve and forward to the City Council the amended Title 9 Zoning & Land Use Code Section 9.52.050 Hazard Areas: Aye - 6; No - 0.

**B. Title 9 Zoning & Land Use Code Amendment – Section 9.52.170 General
Exceptions to Building Height Limitations**

Anderson opened the public comment section of the hearing.

Anderson noted there were two letters in the meeting packet addresses this topic and asked one of the authors if he wanted to make additional comments.

Drew Roslund (Overleaf Lodge) reported building code required that there be space at the top of an elevator shaft to accommodate a person standing on top of the elevator car. This extra space necessitated that the roof of the Overleaf exceed the 30 ft height restriction. Roslund explained their architect had designed a peaked roof line to minimize the appearance of the additional height. Roslund expressed that, given the subjective nature of variance proceedings, the Overleaf may not have been able to meet the code requirement for the elevator shaft under this new code language. Roslund asked why the Commission decided to review this portion of the code. Anderson indicated the issue arose over a large chimney on Windy Way and over no exception needing to be obtained for the building of the south water tower. Orchard asked if the non-elevator shaft peaks are under the 30 ft building height. Roslund said they were above 30 ft. Orchard asked what Roslund would suggest in terms of code restrictions. Roslund was not certain but indicated the Overleaf might expand in the future and would want to retain its architectural design. Deriberprey indicated his concern with exceeding the height restrictions was over safety and proper stabilization. Anderson asked Roslund if he would be satisfied if the Commission were to make an exception for elevator shafts. Orchard noted the second letter had mentioned concerns about exceptions for elevators. Roslund suggested an exception could be made on the basis of what is required by building codes.

Larry Lacey (1173 Oceanview Dr) indicated he has a weather station on a pole that is 15 ft above the peak of the roof as is required for official reporting sites. The station is part of a citizen's observatory program. Lacey distributed photographs of his station and how his station appears online and summarized the information his station records. Lacey was concerned he would have to lower his station height and thus be removed from the reporting program. Orchard clarified his existing station would not be affected by any new requirements, but if he wanted to install a new station at a different location, he would need a variance from the Commission. Lacey wanted clarification that he did not have to do anything in response to this new code. Commissioners indicated he would not have to change his station.

Anderson closed the public input portion of the hearing.

Urban asked if the Commission could add a statement in the code that would encourage citizens to apply for variances as the Commission wants to be reasonable with granting exceptions. Deriberprey was supportive the idea of making an exception for height extensions when required by building codes. Anderson was not in favor of a blanket exception for elevator or building code requirements on roof heights. Kerti was in favor of including language that is more positive and open to making reasonable exceptions. Orchard suggested to either remove elevator shafts from the exceptions list or to give elevator shafts a sole exemption.

Commissioners discussed possible language for exempting elevator shaft housings and concluded they would like input from Planner Lewis before making a final determination.

Hafner moved to continue the hearing to July 18, 2017: Aye 6; No – 0.

Anderson closed the hearing on Title 9 Zoning & Land Use Code Amendment – Section 9.52.170 General Exceptions to Building Height Limitations.

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2 **VI. Planner's Report** – delayed until next meeting
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4 **VII. Other Business**

5 **A. From the Commission**

6 Anderson noted she had tried to incorporate all Commissioner's comments into the memo to the
7 City Council on tiny houses.
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9 Deriberprey reported he gets a lot of people commenting on city business at his store.
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11 **B. From Staff** - none
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13 With no further business before the Commission, Anderson adjourned the meeting at 3:52 pm.
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Helen Anderson, Chair

Date

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21 Minutes prepared by H H Anderson on June 25, 2017