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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.

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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.

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

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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.

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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.

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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.

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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