

YACHATS PLANNING COMMISSION

November 28, 2017

Work Session Minutes

Vice-Chair Ron Urban called the November 28, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 3 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, Christine Orchard. Absent: JD Deriberprey, James Kerti. Audience: 3.

I. Handbook for new Commissioners

Commissioner Anderson noted the need to have some handbook for new Commissioners.

II. Parliamentary Procedure

Commissioners discussed the procedure for making a motion during a regular meeting. Anderson reviewed what the parliamentarian presented at her workshop. Commissioners reviewed the process to make an amendment to a motion. The process is that a motion is made, an amendment is offered, a vote is taken on the amendment, then discussion resumes on the original motion (if amendment not approved) or the amended motion (if the amended is passed).

III. Light Industrial Definition

Anderson indicated she saw the attorney as asserting the definition and standards were combined in the Commission's definition. Commissioner Urban added that square footage of the building was of primary importance. He believed large buildings go against the character of the City. Planner Lewis noted the Dollar General building is around 7,500 square feet, and that Waldport and Depoe Bay do not have limitations on building sizes, but they do have light industrial zones. Urban stressed that Yachats' C-1 zone is primarily along Highway 101.

Commissioners agreed to the following definition of light industrial:

A business that manufactures, fabricates, or assembles goods that occupies less than 6,000 square feet.

Commissioners discussed requirements on parking location. Anderson noted Code section 9.48.010 General Requirements on Parking and Loading presents parking requirements by business type and suggested they could include light industrial in that list. Lewis noted common practice is to specify one space for every 600 square feet of building size. Lewis also noted section 9.48.010(K) specifies businesses must "provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use."

Commissioner Orchard noted the proposed definition does not actually indicate what makes an industry "light." Commissioners discussed the attorney's comment that a definition is not needed and what criteria were part of a definition versus a standard. Lewis noted the distinctions between limiting types of light industrial and the appearance of structures. He believed the current proposal for inclusion of retail area needed strengthening. Urban clarified that the 6,000 square foot building size would apply to light industrial uses, not to the entire commercial zone. He noted an example of an hotel that might occupy more than 6,000 square feet.

Anderson asked Lewis if the 6,000 square feet restriction was likely be challenged. Lewis suggested tying light industrial to a retail use rather than establishing a category of light industrial use. Commissioner Shrock noted a shoe manufacturer that is also a retail store in Philomath.

1
2 Anderson recalled the previous discussion about the inclusion of retail space was made with the
3 intent of prohibiting a facility that is entirely industrial. Urban noted Section 9.72.050 is where
4 standards would go. The Commission could add a section F to address:

- 5 1. Dedicated retail space
- 6 2. Parking location – back or side
- 7 3. Loading/unloading in the back
- 8 4. Industrial part will be indoors/enclosed
- 9 5. Screened outdoor storage

10
11 Urban noted the only conditional use allowed in C-1 is light industrial. No mention is made of other
12 types of industrial use. Commissioners discussed whether to add a statement prohibiting industry
13 other than light industrial. Orchard confirmed Urban's suggestion in that 9.28.020 stipulated
14 permitted conditional uses in C-1, thereby prohibiting anything that is not identified in 9.28.020.

15
16 Shrock raised the issue of developing architectural standards that reflect the culture of the
17 community. Anderson speculated that the process of setting up a subcommittee to establish
18 architectural standards and getting that approved by Council would take much longer to enact than
19 establish standards for light industrial in Section 9.72.

20
21 Anderson tried to articulate the questions the Commission had about how the interaction with the
22 City Attorney would proceed. Manager Beaucaire indicated Commissioners could read attorney
23 feedback on their questions. She was satisfied with having the Commission give to her proposed
24 language or questions, her sending that to the attorney, and her then providing the attorney's
25 feedback to the Commission. Commissioners were emphatic about wanting to see attorney
26 feedback. Urban indicated he was not comfortable with the process of how the attorney was
27 involved with the implantation of the formula business regulations. Urban argued the Planning
28 Commission should be able to determine the regulations for the City.

29
30 Manager Beaucaire indicated she believed the Commission should be the voice of the community.
31 She noted the attorney could be used to help the Commission with language, interpretations, or
32 direction. She did believe the attorney should look at the final language to determine if there might
33 be some issue with Oregon law or the court system. She concurred all of these steps would go
34 between herself and the Commission.

35
36 Anderson suggested she and Lewis draft language for the standards and present at the next work
37 session.

38 39 **IV. Sign Ordinance**

40 Hafner asked that the next work session be focused on the sign ordinance, with a short discussion
41 of the proposed light industrial language. Anderson stated she thought the Waldport ordinance
42 was much clearer than the Yachats code, and suggested they start with the Waldport code. Lewis
43 noted he had created a table of differences and changes between old and new code. Anderson
44 asked Lewis to forward that table to Commissioners ASAP.

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46 Urban adjourned the work session at 3:00 pm.

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50 _____
51 Ron Urban, Vice-Chair

50 _____
51 Date

52 Minutes prepared by H H Anderson on December 10, 2017.

YACHATS PLANNING COMMISSION

November 28, 2017

Regular Meeting Minutes

Chair Helen Anderson called the November 28, 2017 meeting of the Yachats Planning Commission to order at 3:03 pm in Room 3 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, Christine Orchard. Absent: JD Deriberprey, James Kerti. Audience: 3.

Anderson stated that she was changing the agenda to have applicant interviews be first.

I. Applicants to the Commission

Anderson noted Commissioners had been given three applications. A fourth person had applied but did not meet the residency requirement. Anderson noted her term and the term of Commissioner Deriberprey were ending as of December 31, 2017. Deriberprey had indicated to her that he would not be reapplying, and she was reapplying. Applicant Mary Ellen O'Shaughnessey was present and applicant Lance Bloch was not. It appeared Bloch had not been instructed to attend the meeting. Upon Commissioner Hafner's suggestion, Commissioners agreed to interview Bloch at their December meeting, as there would be time for the applicant to attend the January 28, 2017 Council meeting before the January Planning Commission meeting.

Anderson stated she knows O'Shaughnessey, believed she would be an excellent Commissioner, and noted her background in academic administration was relevant to how government works. Hafner asked O'Shaughnessey how her background would fit with the Planning Commission. O'Shaughnessey stated she worked for 35 years at the University of Illinois as a senior administrator where she developed, interpreted, and applied policies. She also worked with attorneys. She had worked in human resources and with the Champaign, IL nursing home. Commissioner indicated he believed it is important for an applicant to understand the Commission's mission to both make recommendations on land use and make decisions on applying regulations on land use. He suggested they are more code interpreters. O'Shaughnessey stated she had read the Citizen's Handbook. O'Shaughnessey stated she has learned from work experience not to make decisions too fast upon taking a new position.

Hafner asked Anderson if she would be willing to be Chair again. Anderson indicated she would but noted she was open to any other Commissioner taking on that role.

I. Announcements and Correspondence

Planner Lewis handed out a statement for Layne Morrill suggested the addition an item 5 to Goal J in the Comp Plan on meeting housing needs. Lewis noted the Commission could address the matter when they return to the Comp Plan update.

II. Minutes

Anderson noted the draft minutes had been modified to indicate the correct date of October 17, 2017 on line 2 of the regular minutes and the date of July 18, 2017 on page 2, line 21 in the work session minutes was correct. Anderson stated the parliamentarian indicated a person could vote on minutes even if they were absent from the meeting.

Commissioner Urban moved to approve the October 17, 2017 work session, the October 17, 2017 regular meeting minutes, and the November 14, 2017 work session minutes: Aye – 5; No – 0.

1 **III. Citizen's Concerns**

2 Craig Bertie (319 E 3rd St) suggested the Commission establish a set of questions to ask future
3 applicants so that there is fairness and consistency across interviews.
4

5 **IV. Public Hearings**

6 **A. Case File #1-CU-PC-17 Hetzler Conditional Use Permit Application**

7 Anderson opened the Public Hearing on the Hetzler Condition Use Application. Anderson asked if
8 anyone wished to object to the jurisdiction of this Commission to hear this matter, if any
9 Commissioners needed to make any disclosures or abstain from voting on this application, and if
10 any Commissioner needed to declare ex parte contact. There were none.
11

12 Planner Lewis described the hearing process. Lewis summarized his Staff Report in the meeting
13 packet. He noted this application is a modification of a conditional use obtained in 2014,
14 increasing the united from 15 to 19. Lewis identified the relevant code criteria by title only (9.28.
15 9.28.010, 9.48).
16

17 Lewis summarized in the previous application the Commission had discussed the removal of a
18 manufactured home on the E 2nd parking are to create additional parking; however, removal of the
19 building was not necessary to meet the parking requirements. Lewis noted the conditions of the
20 new application require 27 off-street parking spaces, and with recent changes in parking, there are
21 currently 27 off-street parking spaces required. This condition exists without the removal of the
22 manufactured home. The current application requests the Commission remove the criteria to
23 remove the building. Hafner clarified that the manufactured home is not part of the hotel.
24

25 Lewis explained the circumstance around the elevated access to the new building above area on E
26 2nd Street. He noted this type of exception is typically reviewed by Public Works, and Public Works
27 has approved the proposal with the condition that the City reserves the right to ask the applicant to
28 remove the improvement should work need to be done in that area. Commissioners got
29 clarification on the location on the elevated walkway and connection to existing structures.
30

31 Hetzler explained the rationale for the proposed structure to not have a south entrance to the
32 rooms and to enter via the current hotel entrance.
33

34 Lewis noted the four conditions of approval:

- 35 1. Add 142 Hwy 101 N to the Drift Inn Hotel complex with four additional hotel rooms, office,
36 storage and laundry facilities, not to exceed 19 hotel rooms in the Drift Inn complex.
- 37 2. Maintain 27 off-street parking spaces.
- 38 3. Keep additional parking criteria from the 2014 conditional use permit.
- 39 4. The encroachment on the public right-of-way on E 2nd will be removed if the public right-
40 of-way is needed for public purpose.
41

42 Hafner asked Hetzler the layout of the parking in front of 142 Hwy 101 N. Hetzler indicated there
43 would be three spaces on one end two on the other end, and the external stairs will be removed.
44 Shrock asked if there was dedicated parking for the manufactured home. Lewis noted there is
45 parking for the manufactured home above the 27 spaces required for the conditional use.
46

47 Anderson opened the public input portion of the hearing.
48

49 There was no input from proponents or opponents to the proposal.
50

51 Craig Bertie (319 E 3rd St) asked how the use of the new spaces would be reserved for hotel
52 clients rather than neighbors and visitors. Anders indicated the Planning Commission does not

1 control regulation of a given space as that is private property, just that it exists. The owner can
2 specify the space is reserved.

3
4 Anderson asked Hetzler if the manufactured home was used for worker housing. Hetzler stated
5 she has one worker renting the space at an affordable rate of \$600 per month.

6
7 Urban noted section 9.48(J) specifies there can be no backing of vehicles into a roadway in areas
8 of four or more spaces grouped together. Lewis explained there is room for backing in the lot itself
9 as the parking spaces are parallel to the highway.

10
11 Anderson noted in the Planner's Report the relevant code under section 9.48(L) should include
12 item #10 - service or repair shop handling area: one space per 600 square feet, and #11- bank or
13 office area: one space per 300 square feet.

14
15 Urban asked about previous discussion of the removal of the manufactured home. Anderson
16 stated the first conditional use permit stated the home should be removed and this conditional use
17 allows the home to remain. Lewis noted from a previous Planning meeting the removal of the build
18 was discussed but any decision about it would be saved for this hearing. Lewis noted the
19 recommended conditions in the current application would supersede previous conditions. It was
20 clarified that the addition of 142 Hwy 101 is not a request for a new conditional use for four rooms
21 but an addition to a previous conditional use to go from 15 to 19 rooms.

22
23 Anderson closed the public input section of the hearing.

24
25 Orchard moved to approve Hetzler's conditional use application #1-CU-PC-1 including the removal
26 of the request to remove the manufactured home and with the conditions specified in the Staff
27 Report: Aye – 5; No – 0. Motion passes.

28 29 **IV. Planner's Report**

30 Lewis noted the correct dates for the report should be September 13, 2017 through November 20,
31 2017. Hafner asked for clarification on the deck project on W 3rd St. Anderson asked for
32 clarification on the Gimlet Lane construction relative to the blocked-off steep section of Gimlet.

33
34 Commissioner discussed regulations on the expiration of conditional use permits. Regulations
35 state that signification progress must be made within a year or the permit expires. Lewis indicated
36 the plat had recently been approved.

37 38 **V. Other Business** 39 **From Staff**

40 Lewis clarified the next meeting is December 19, 2017 with light industrial and signs for the work
41 session agenda.

42 43 **From the Commission– none**

44
45 Anderson adjourned the meeting at 4:06 pm.

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50 _____
Helen Anderson, Chair

_____ Date

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52 Minutes prepared by H H Anderson on December 10, 2017.