

# YACHATS PLANNING COMMISSION

August 21, 2018

## Draft Minutes

Chair Helen Anderson called the August 21, 2018 meeting of the Yachats Planning Commission to order at 3:02 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Ginny Hafner, Mary Ellen O'Shaughnessey, Lance Bloch, Shelly Shrock, and James Kerti. Absent: none. Staff present: City Planner Larry Lewis. Audience: 3.

### **I. Announcements and Correspondence - none**

Anderson welcomed the newest Planning Commission, Lance Bloch

### **II. Minutes**

#### **A. July 17, 2018 Work Session Meeting**

Page 1, Line 8: the "and" should be between Kerti and Shrock

Page 1, Line 20: delete "is" before "was"

Page 3, Line 8: "townhomes was" should be "townhomes were"

Page 3, Line 25: "is" should be "in"

Page 3, Line 25: "principal" should be "principle"

Page 3, Line 36: "the go further" should be "they go further"

Commissioner Shrock moved to approve the July 17, 2018 work session minutes as amended:  
Aye – 6; No – 0; Abstain – 1 (Bloch not present).

#### **B. July 17, 2018 Regular Meeting**

Commissioner Urban moved to approve the July 17, 2018 Planning Commission meeting minutes as presented Aye - 6; No – 0; Abstain – 1 (Bloch not present).

### **III. Citizen's Concerns - none**

1. Layne Morrill (628 Radar Road) announced construction has begun on the townhomes on the north end of town and he has forms for employees and business owners to get their names on the list for new units. He noted this form is for indicating interest, and the person would be notified when applications could be submitted.

2. Douglas Conner (490 Lemwick Lane) stated the Comprehensive Plan states that the scenic environment is one of the most valuable resources in Yachats. Connor passed out photographs of a hedge blocking his view on the west side. Connor suggested blocking this view in this area was a violation of the intent of the Comprehensive Plan Goal A. He also suggested Goal A was not addressed in language in Title 9 of the Yachats Municipal Code. He asked for adding code to limit the height of hedges, fences, and walls.

### **IV. Public Hearings**

Anderson indicated she would read the required questions for all hearings at once.

#### **A. Case File 2-PAR-18 2-lot Partition Application Elk Mountain Properties**

1. No one objected to the jurisdiction of the Commission to hear this matter.

2. No Commissioner wished to abstain from the process.

3. Disclosures: Commissioner Urban reported he spoke with a previous Planning Commissioner to get background on the development of the PUD and can proceed without bias.

4. The Commission has been give all testimony submitted to date.

1 5. Commissioners felt they had adequate time to review the materials submitted.

2  
3 Lewis summarized his staff report in the meeting packet and described the hearing process.

4  
5 Anderson opened the public testimony portion of the hearing and invited Layne Morrill to present  
6 his case.

7  
8 Morrill stated the intent of this application is to establish two parcels for the indicated section so  
9 that one parcel may be conveyed to another owner.

10  
11 Public Testimony:

12  
13 1. Russell Styles (311 E 2<sup>nd</sup> Street) asked if this section of property would have two points of  
14 egress.

15  
16 2. Robert Curtis (1955 Grinder St, Eugene, owner of 6 acres Peterson Rd property) stated the  
17 Fistera properties would impact his property by allowing three-story structures, which would  
18 significantly impact the view from the lower portion of his property. He asked that code be followed  
19 to preclude any further impact on his property.

20  
21 Shrock asked for explanation on the conveyance. Morrill explained the conveyance was to the  
22 former owner of the parcels based on an agreement that if he did not meet a certain development  
23 date, he would reconvey the property back to the original owner.

24  
25 Morrill responded to Styles that the hillside nature of the property did not allow for multiple  
26 egresses on the lower half of the parcels. He noted the upper parcels do have a means to connect  
27 with Elk Mountain Road, and cannot be engineered to connect with the lower parcels. Anderson  
28 asked if the easements to Elk Mountain Road were in place. Morrill suggested owners of the  
29 properties between the parcels and the current end of Elk Mountain Road will provide access for  
30 the road to go through.

31  
32 Morrill responded to Styles that there was a public hearing on the Fistera Apartments where he  
33 was allowed to have three story buildings provided they were affordable housing.

34  
35 Styles asked if any survey of traffic flow had been done for the upper parcels and the proposed  
36 access. Lewis noted this topic was not relevant to the current public hearing.

37  
38 Anderson closed the public testimony portion of the hearing.

39  
40 Anderson summarized that the decision before the Commission concerned only the combining of  
41 the seven parcels into two parcels. Anderson clarified with Lewis that there were three parcels  
42 between the area under discussion for the hearing and the dead end of Elk Mountain road.

43  
44 Lewis explained the Commission was given the entire PUD application for background, as this  
45 hearing is technically a modification of the PUD. Urban noted he found numerical errors in  
46 sections that were not relevant to the current hearing. Bloch noted he saw that the entire PUD  
47 involved 22.82 acres, but the two proposed parcels were for 8.43 and 12.37 acres, leaving 2.02  
48 acres unaccounted for. Block asked if these two acres were where the current construction and  
49 Fistera Apartments were. Morrill indicated those were the two acres so the current proposal is only  
50 for the remaining land.

1 Hafner moved to approve the parcel adjustment as presented in the application with the two  
2 conditions specified in the staff report and to prepare the finding for the Chair's signature: Aye – 7;  
3 No – 0.  
4

### 5 **B. Title 9 Zoning and Land Use Amendment – Light Industrial Uses**

6 Lewis summarized the proposed changes to incorporate a definition and standards for light  
7 industrial usage as follows:

8 Add to 9.44.030 Definitions: "Light industrial" means a business than manufactures,  
9 fabricates, or assembles goods and that occupies less than 6,000 square feet."

10 Add item T to 9.28.020 Conditional Uses: T. Light industrial

11 Add number 14 to 9.48.010 General Requirements, L. Off-street parking requirements: 14.

12 Light industrial: one space for each six hundred (600) square feet of total floor area.

13 Add item G to 9.72.050 Standards:

14 G. Standards for light industrial.

15 1. Manufacturing, fabricating, or assembly shall occur within an enclosed  
16 building.

17 2. Goods manufactured, fabricated, or assembled shall be offered for retail  
18 sale on the premises with dedicated retail space occupying a minimum of  
19 20% of the building.

20 3. Outdoor storage shall be on the side or the rear of the building, and shall  
21 be screened with a sight-obscuring fence, hedge or wall.

22 4. Employee parking and loading shall be located on the side or rear of the  
23 building.  
24

25 Anderson recalled there was a reference to light industrial in the code but there was no definition.  
26 She added that the Commission decided to make the use conditional rather than outright use and  
27 the parking required is standard for this use.  
28

29 1. Jacqueline Danos (116 Spring Hill Road) asked if the appearance of the building would be  
30 addressed. She suggested parking based on square footage might be overkill. She also noted  
31 that the current proposal allows for retail parking in the front, and she believed the building is more  
32 appealing if parking were not out front. Danos asked if there were any additional requirements for  
33 water usage, given that industrial use often requires more water.  
34

35 2. Leslie Vaaler (205 Radar Road) noted that the proposed code specified the work being an  
36 enclosed building and asked if noise or odor issues were considered.  
37

38 Urban recalled odors and noise were discussed and noted the conditional use means anyone  
39 wanting to engage in industrial use would have to come to the Planning Commission who could  
40 then address water, noise, and odors.  
41

42 Anderson noted the issue of architectural standards has arisen over several issues that have come  
43 before the Planning Commission. She added establishing architectural standards is on the to-do  
44 list for the Planning Commission.  
45

46 Lewis added that 9.72.010.B identifies issues to be addressed for the conditional use, which  
47 includes the regulation of noise, odors, vibration, and sightlines.  
48

49 Urban moved to forward to the City Council the proposed Code amendments for Light Industrial  
50 use: Aye – 6; No – 1 (Bloch).  
51

1 Bloch noted noise issues have come up around multiple issues and yet the Code does not specify  
2 what is too much noise. He suggested the Commission was introducing a new area in which this  
3 issue could arise again.  
4

### 5 **C. Title 9 Zoning and Land Use Amendment – 9.44 Signs**

6 1. Drew Roslund (Overleaf and Fireside) was concerned about the size requirement for the 300  
7 feet of frontage that use to be up to 100 square feet. He estimated there were five properties that  
8 would be impacted and argued these properties need visibility, especially with the speed limits by  
9 the Overleaf and Fireside. He believed their signs were externally lit and made of natural materials  
10 that blended in that environment. He noted at the higher speeds, drivers need more time to  
11 decelerate and the signs must be adequately visible from further away. Roslund indicated they  
12 could achieve visibility with a larger, non-obtrusive sign, such as exists, or with a bright, internally lit  
13 sign. Roslund also noted in the old Code, there was language for allowing for the combining of  
14 multiple tax lots to ascertain street frontage.  
15

16 Roslund also asked:

17 Were there size restrictions on digital signs or internally lit signs?

18 Were permits required for temporary signs?

19 Would real estate directional signs be allowed?

20 Would 9.44.050.C require that real estate signs must come down after 90 days?  
21

22 2. John Purcell (116 Spring Hill Road) asked that the Commission consider the amount of  
23 illumination allowed with signs. He also indicated the definition digital signs includes LED signs,  
24 which would then be prohibited by the prohibition of digital signs.  
25

26 3. Barbara Corchnoy (311 E 2<sup>nd</sup> Street) stated that there are signs directing parking that are  
27 misleading and result in more trash on her street.  
28

29 4. Leslie Vaaler (205 Radar) supported Roslund's comment about the need for a visible sign in the  
30 higher speed areas and that how the sign was constructed should be taken into account. She also  
31 wanted more control of lit signs and standards of what is too bright.  
32

33 5. Anthony Muirhead (777 Aqua Vista and Adobe) noted the Adobe has neon vacancy signs and  
34 supported Roslund's request for larger signs.  
35

36 6. Linda Smith-Rikel (Quiet Water) stated Yachats states it is the Gem of the Oregon Coast and  
37 was worried that Yachats could lose its integrity and suggested looking at Santa Barbara and  
38 Cambria who have retained their village quality.  
39

40 Anderson stated the Planning Commission has looked at the lighting situation. She reported the  
41 lights from signs and parking lights gets conflated, so setting limits could be better addressed in  
42 Title 5 of the Code, where the Commission could set standards for trespass light. She noted the  
43 Commission plans to address trespass light.  
44

45 Anderson stated she had not thought about the higher speeds on the north end of town and asked  
46 if Commissioners would consider larger signs in that area. Kerti agreed the speed should be  
47 considered. Shrock noted the Fireside sign was smaller than the Overleaf. Roslund reported the  
48 Overleaf sign is about 100 square feet and the Fireside sign is 85 square feet. Kerti suggested  
49 that if larger signs were allowed, not all of the larger size should be allowed to be internally lit.  
50

51 Anderson noted the Commission did talk about contiguous lots as the definition of street frontage.  
52

1 O'Shaughnessey suggested the Commission continue work on signs at a special meeting.

2  
3 Shrock moved to continue the hearing to August 28, 2018 at 2:00 pm: Aye – 7; No – 0.

4  
5 **D. Title 9 Zoning and Land Use Amendment – Comprehensive Plan Goals & Policies**

6 Lewis passed out written testimony from Layne Morrill on recommendations for Goal J. Anderson  
7 recalled the proposed language had information that would be dated, such as market conditions.  
8 Bloch noted in Policy 6 under Goal J has specific information.

9  
10 Lewis explained the draft the Commission is reviewing is what was sent to DLCD, but the  
11 Commission made six changes since that draft was sent.

12  
13 Page 8: eliminate extra space

14 Page 14, Policy 5: strike UGB

15 Page 16, Goal I: change punctuation to read as follows: The City provides efficient essential public  
16 facilities and services to accommodate future growth, including water and sewer services, storm  
17 drainage public safety, and emergency services.

18 Page 18, Goal J, Policy 6: delete first three paragraphs, leaving paragraph beginning with, "The  
19 City strongly encourages..."

20  
21 Anderson recalled the Commission wanted to remove these paragraphs, but somehow retain the  
22 information as it was very useful. Urban noted the first three paragraphs were not policies. Morrill  
23 explained he made these suggestions as he needed support from the City to indicate there was a  
24 local need for a particular type of housing that could be used to address fair housing law because  
25 he wanted to establish the need for housing for local workers

26  
27 Urban suggested adding the emphasis on local workforce housing as part of the goal statement.  
28 Commissioners agreed on the following language for the Goal J statement: The City encourages a  
29 variety of housing choices in appropriate locations to accommodate a range of needs and incomes,  
30 in particular the housing needs of local workers.

31  
32 Page 19, Proposed Action: The Commission public involvement plan was not under

33 Page 20: "policy" needs to be "policies"

34  
35 Shrock moved to forward the amended Comprehensive Plan to the City Council as amended: Aye  
36 -7; No - 0.

37  
38 **VI. Planner's Report**

39  
40 **V. Other Business**

41 **A. From the Commission**

42 O'Shaughnessey moved to move the Code changes on clear-sight to the public hearing stage and  
43 forward the document to DLCD: Aye – 7; No – 0.

44  
45 **B. From Staff - none**

46  
47 Anderson adjourned the meeting at 5:02 pm.

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52 \_\_\_\_\_  
Helen Anderson, Chair

\_\_\_\_\_  
Date

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3

Minutes prepared by H H Anderson on September 16, 2018.

DRAFT