

**CITY OF YACHATS
ORDINANCE NO. 308**

**AN ORDINANCE AMENDING THE YACHATS MUNICIPAL CODE
CHAPTER 9.62 – TOWNHOUSE PLANNED UNIT DEVELOPMENT,
SECTION 9.62.030 – GENERAL REQUIREMENTS**

WHEREAS, the Planning Commission held a public hearing on the proposed amending language on November 15, 2011 and voted to recommend to City Council that the amendment be adopted;

NOW THEREFORE, the City of Yachats ordains as follows:

Chapter 9.62 – Townhouse Planned Unit Development – Section 9.62.030 – General Requirements shall be amended, in part as follows:

Section 9.62.030 General requirements.

A. In the case of a townhouse planned unit development the regulations contained in this chapter and the underlying zoning district may, if necessary, be modified as they apply to streets, blocks and lots, lot area, lot width, lot depth, lot coverage, ~~and~~ building setbacks, and parking when adequate access to major thoroughfares, adequate light and air circulation, recreational areas, and open space are provided.

B. A townhouse planned unit development may be established in the R-2, R-3, and R-4 residential zones and the C-1 Retail Commercial zone.

C. A townhouse planned unit development may include any uses permitted outright or conditionally in the zone in which it occurs.

D. Requirements pertaining to density ~~and parking~~ shall be guided by the standards of the zone in which the townhouse planned unit development is proposed, i.e. the maximum number of townhouse dwelling units shall not exceed that allowed by the underlying zone.

E. Requirements pertaining to parking shall also be guided by the standards of the underlying zone. Those requirements may be modified in minor ways such as rounding down rather than rounding up in calculation of parking spaces and allowing the spaces to be less than the current parking space dimension required in the Code for the underlying zone.

~~E~~F. No building shall exceed a height of thirty (30) feet except:

1. That the height increase can be justified on the basis of unique lot characteristics, topographical conditions or other natural features; and/or

2. That the height increase can be justified on the basis of amenities provided or concessions made by the developer for which some bonus incentive is warranted.

~~E~~G. The lot coverage for individual lots may exceed the maximum lot coverage of the underlying zone. The maximum lot coverage of the parent lot may not exceed the maximum lot coverage allowed in the underlying zone.

~~G~~H. All electric and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits and similar facilities shall be placed underground by the developer unless waived by the planning commission.

~~H~~I. The planning commission or city council may require easements necessary for orderly extension of public utilities to future adjacent developments.

~~I~~J. If there are lands and structures not dedicated to the public but reserved for use by owners or tenants and their guests those lands and/or structures must be subject to an association of owners or tenants created to form a nonprofit corporation under the laws of the state of Oregon. The association shall be formed and continued for the purpose of maintaining such common areas and structures.

K. Developments shall provide for safe, well-marked pedestrian ways that do not conflict with vehicular traffic.

PASSED AND ADOPTED by the City Council of the City of Yachats on this _____ day of _____.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

APPROVED by the Mayor this ____ day of _____.

Attest:

Ronald L Brean, Mayor

Nancy Batchelder, City Recorder