

1. 2:00 P.M. Agenda

Documents:

[2021-02-16 Planning Commission Regular Meeting Agenda.pdf](#)

2. Meeting Materials

Documents:

[Douglas Conner Request YMC 9.84.Pdf](#)
[February Planners Report.pdf](#)
[TGM_Parkingoptions_12.17.20.Pdf](#)



CITY OF YACHATS
PLANNING COMMISSION MEETING
Yachats OR
Tuesday, February 16, 2021, 2020 at 2:00 pm
Public Meeting via ZOOM Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/83497503951?pwd=Z0xLaC94S1ZGVUVlbi9hcHhqdklKZz09>

Meeting ID: 834 9750 3951

Passcode: 653649

One tap mobile

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Work Session

- I. Fences and Hedges
- II. Planning Commission Goals
- III. Other Business
 - A. The Commission
 - B. From Staff

Regular Meeting

- I. Call to Order
- II. Announcements and Correspondence
- III. Citizen Concerns
- IV. New Business
 - 1. Fences and Hedges
 - 2. DLCD Land Use Training Date

This meeting is open to the public and all interested persons are invited to attend the ZOOM Meetings. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. The minutes of this meeting is the Audio Tape which will added to the packet after the meeting within 24 hours. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541- 547-3565 or Oregon Relay 1- 800-735-2900 (TDD) two days in advance. Posted 02-09-2021

- 3. Local Wetlands Inventory (LWI) Discussion
- V. Old Business
 - 1. Parking Discussion - RECOMMENDATION
 - 2. Planning Commission Goals
 - 3. Lighting Ordinance Public Hearing (Placeholder if needed)
- VI. Planner's Report
- VII. Other Business
 - 1. From the Commission
 - 2. From Staff

Commission meets the third Tuesday of each month.

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Justin Peterson

From: Jacqueline Danos <jac.danos@gmail.com>
Sent: Tuesday, January 19, 2021 3:20 PM
To: Justin Peterson
Subject: Fwd: Application under YMC 9.84.010 to Amend Title 9

----- Forwarded message -----

From: Douglas Conner <lemoco@me.com>
Date: Thu, Jan 14, 2021 at 6:02 PM
Subject: Application under YMC 9.84.010 to Amend Title 9
To: Helen Anderson <Happydogs27@gmail.com>
Cc: Jacqueline Danos <jac.danos@gmail.com>, Loren Dickinson <lorendickinson@gmail.com>, Lance Bloch <lancebloch1@gmail.com>, Arianna Carlson <office@yachatsyardscapes.com>, Christine <corchard@peak.org>

Dear Planning Commissioners,

I hope you are all safe and well.

I am writing today in the hope that I might convince the Commission to take up an issue that is already waiting on your docket. I hope to convince you to make the establishment of residential fence standards a Commission priority this year. I have reached out to Mayor Vaaler, and the Council, and have requested that they direct the Planning Commission to take up this issue, and I hope they will. However, I've been informed that the Chair of the Planning Commission has broad discretion to set the Commission's agenda. It is in deference and respect for the Chair's discretion that I make this request.

When people call the City Planner and ask, "How tall can my fence be?", they will be told, six (6') feet without a permit, and eight (8') feet with a permit. The City has been offering this, one-size-fits-all, standard for, at least, the past 25 years. I've only lived in Yachats for the past five years, but I have heard this standard repeated by a city manager, two city planners, a code enforcer and a Chair of the Planning Commission. The problem with the standard is this: It doesn't exist. It's not in the Yachats municipal code, nor is it land use policy. But it is obviously, an institutional falsehood that is widespread and persistent.

When requesting guidance from the city planner, code enforcer, or the planning commission, the public deserves information that is based on city ordinance and policy, rather than legacy responses that are incongruent with our current land use policies and procedures. Our planner and code enforcer should be given the tools required to answer the rudimentary land use questions that people are going to ask - answers that are true, demonstrable, and enforceable. But equally important, people in our community have a lawful voice in all phases of land use planning, and this, the practice of trafficking in arbitrary fence standards, circumvents that voice. Let me be clear: There have been no public hearings or public involvement in planning this legacy 6'/8' fence standard. It is, I believe, an arbitrary standard that city officials have routinely offered as black-letter law.

YMC 9.04.30, YMC 9.28.30, and YMC 9.04.30 - define 8' fences, hedges and walls as view obstructions - sight-obscuring fences. Sight-obscuring fences are intended to protect residential views from non-residential blight - like loading docks and parking lots. But by continuing to articulate the 6'/8' fence height standard, the city is actually encouraging people to place 8' sight-obscuring fences, hedges, and walls between residential uses. I can tell you from experience that a complaint about an 8' fence obstructing an adjacent residential property's ocean, river, or estuary view will be summarily dismissed because there is no code prohibiting 8' fences. But it is equally true that there is no code allowing 8' fences in residential neighborhoods either. Bottom line - there is no code.

In contrast, our Comprehensive Land Use Plan calls the scenic environment of Yachats our most valuable natural resource. The Comprehensive Plan Inventory explicitly states that taking advantage of river, estuary, and ocean shoreline views is the predominate land use on the west side of Hwy. 101. Goal A of the Comprehensive Land Use Plan, places particular emphasis on protecting scenic views. And in support of view protection, the Comprehensive Land Use Plan provides public survey results that place view protection in the top quartile of citizens concern. But far from protecting river, estuary and ocean shoreline views, the City, by trafficking in arbitrary fence standards, is actually loading up westside neighborhoods with view obstructions.

While I acknowledge it is the Chair's discretion to place this issue on the agenda, YMC 9.84.10 specifically states that amendments to Title 9 may be initiated by application of a property owner in the affected area. I've asked the City Manager for an application form, as required by YMC 9.88.040, but she wasn't able to locate one. So as an affected westside property owner, whose shoreline view is obscured by an 8' tall sight-obscuring fence, please accept this letter, as my application, under YMC 9.84.10, to amend Title 9, following the procedures outlined in YMC 9.84.020, to establish objective, transparent, and legally enforceable residential fence standards that align with the needs, desires, and aspirations of the community and our land use policies.

If I can provide more information about this issue, please don't hesitate to contact me.

Thank You
Douglas Conner
490 Lemwick Ln.
Yachats
lemoco@me.com

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Jacqueline Danos Purcell
760-861-8508 (cell)



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MEMORANDUM

DATE: February 5, 2021
TO: City of Yachats
FROM: Justin Peterson, Planner, OCWCOG
RE: **Planner's Report**

Summary

The planner received a high number calls and emails from property owners, interested buyers, and other inquires in January. I traveled to Yachats most weeks and worked remotely if I had a schedule conflict. I traveled to Yachats January 5th, 19th, and 26th.

I will be available to serve as the City Planner until the end of February. The contract for January and February will be updated to reflect the reduction in hours. Starting in March I can still serve in a limited supportive role if requested. The contract, if continued, will be on an hourly basis.

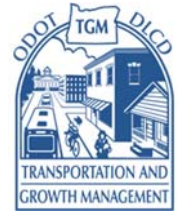
Building Permits

In January the City of Yachats received three building permits. I spoke to a few property owners that may submit building permits this year. Historically, building permits increase in late February to early March. I spoke to Lincoln County and they indicated Yachats had a high volume of new homes last year compared to other Lincoln County cities. Based on the number of inquiries and the already submitted two new home permits it appears the permit volume may stay high again this year.

Date Received	Type of Permit	Zoning	Address	Status
1/12/2021	Single-Family Home and Garage	R-1	561 Overlook Drive (14-12-34 AC TL 2100)	Pending
1/14/2021	Single-Family Home and Garage	R-1	280 Spruce Avenue (14-12-26 CB TL 6800)	Pending
1/21/2021	Garage, deck, and interior remodel	R-1	1076 King Street (14-12-27 AA TL 7700)	Pending

Projects

- Staff had a meeting with DLCD's Laura Buhl in December discuss Parking. DLCD Staff put together a memo about potential options. Planning Commission reviewed the Memo at the January Planning Commission meeting. A formal recommendation will be made at the February meeting.
- The Natural Hazard Mitigation Plan (NHMP) resolution was approved by City Council and sent to the consultant.
- The Hazard Ordinance was approved by City Council and will be read by title at the February meeting.
- Planning continues to work with Planning Commission and City Council on the Lighting Ordinance.



To: Justin Peterson, Yachats City Planner
From: Evan Manvel and Laura Buhl, Oregon Transportation & Growth Management Program
Date: December 17, 2020
Re: Options for parking study

The Oregon [Transportation and Growth Management Program](#) (TGM) works to use land use and transportation tools to ensure Oregonians have transportation choices including walking, biking, and transit. It is a joint program of the Oregon Department of Land Conservation and Development and ODOT.

One significant impact on an area's walkability is how it manages automobile parking. Parking is a large user of land. Excess parking can push land uses apart, making it harder and less pleasant to get around without a car. Excessive parking code requirements can also hinder commercial and mixed-use development. By managing parking well, these problems can be alleviated.

TGM has developed [several publications on parking management](#). However, the preferred approach is to engage in city-specific discussions and data, getting community buy-in on parking reform.

We understand Yachats has concerns about parking supply and management, particularly in its core commercial area and during events.

To address that, TGM could support either:

1. A consultant-run community parking workshop, with a follow-up basic report summarizing the discussion and providing recommendations

TGM has sponsored parking workshops in various communities (including small population cities, such as Banks and Cascade Locks). In these projects, a consultant gathers basic information about a city's parking code and parking challenges, develops a workshop, and leads community members through that workshop (usually 90 minutes to 2 hours), where participants talk through problem identification, options for addressing them, and the various trade-offs with managing parking. The consultant then develops a report, summarizing the discussion and making recommendations for next steps, possibly including changes in the city's development code.

2. Parking inventory, utilization study, and management recommendations/plan.

This project includes most of the above (parking workshop), but takes longer, and includes an inventory of parking and utilization study, noting exactly where and when parking supply is full, rather than relying in anecdotal data. The final product is a management plan and, potentially, zoning code amendments.

Please advise us on which option you would prefer. We are also available to answer questions if you would like more detail on either of the two options.

Contact Information:

TGM Education and Outreach
Evan Manvel evan.manvel@state.or.us (971) 375-5979
TGM Code Assistance
Laura Buhl laura.buhl@state.or.us (971) 375-3552