

1. 3:00 P.M. Planning Commission Regular Meeting & Public Hearing

Documents:

[2022-09-20 Planning Commission Agenda.pdf](#)

2. Meeting Materials

Documents:

[Proposed Fences Walls And Hedges.pdf](#)



CITY OF YACHATS  
PLANNING COMMISSION MEETING  
Yachats OR  
Tuesday September 20, 2022, at 3:00 pm  
Public Meeting via ZOOM Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/88553805590>

Meeting ID: 885 5380 5590

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**Regular Meeting**

- I. Call to Order
- II. Announcements and Correspondence
- III. Citizen Concerns
- IV. Public Hearing
  - a. Proposed Yachats Municipal Code Amendment – Chapter 5.08 and Title 9 Fences, Walls and Hedges
- V. New Business
  - a. None
- VI. Old Business
  - a. Wetlands inventory status - Theilacker
  - b. Code Enforcement hiring update
  - c. Definition Code Changes moved from Work Session
- VII. City Planner
  - a. Planner's Monthly Report
- VIII. Other Business
  - a. From the Commission
  - b. From staff

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 9/7/22

## Section 5.08.060 Maintenance of property—Nuisances.

C. To allow a construction site where there has been no noticeable progress toward completion for a period of six (6) months or more to become unsightly with construction debris, mud, standing water, overgrown vegetation, open ditches, or uneven bare ground;

To keep or maintain a structure in such condition that it would be considered a “dangerous building” under the following definitions:

1. A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connection, defective heating apparatus, or for any other cause or reason, is especially susceptible to fire and which is so situated or occupied as to endanger any other building or property or human life; Every fence shall be maintained in a condition of reasonable repair, and not be allowed become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation.

## Section 5.08.090 Fences.

~~\_\_\_\_\_ A. \_\_\_\_\_ Barbed Wire. No owner or person in charge of property shall construct or maintain a barbed wire fence, or permit barbed wire to remain as part of a fence, along a sidewalk or other public way; except such wire may be placed above the top of other fencing not less than six (6) feet, six (6) inches high.~~

~~\_\_\_\_\_ B. \_\_\_\_\_ Electric Fence. No owner or person in charge of property shall construct, maintain or operate an electric fence along a sidewalk or other public way or along the adjoining property line of another person. (Ord. 474 § 18, 1995)~~

\_\_\_\_\_ A. \_\_\_\_\_ Every fence shall be maintained in a condition of reasonable repair, and not be allowed become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation. Residential fences must be constructed of material specifically designed and manufactured for fencing purposes except they cannot contain any material which will do bodily harm, such as electric or barbed wire, upturned barbed selvage, broken glass, spikes, or any other hazardous or dangerous materials. (refer to 9.04.030 of YMC for definition of “Selvage”)

## Section 9.04.030 Definitions.

\_\_\_\_\_ “Clear-Vision Area”: The triangles at the junction of streets, alleys, and driveways as defined in YMC section 9.64.010

\_\_\_\_\_ “Hedge”: An evergreen planting which is grown as a Sight-Obscuring barrier between two properties.

\_\_\_\_\_ “Required Yard”: The area of a lot within the building setbacks. The size of the Required Yard varies with the zoning of the property.

\_\_\_\_\_ “Screening Buffer”: A fence, hedge, or wall that blocks at least 70% of the view between uses. The buffer shall be not less than 5 feet in height, nor more than 8 feet in height, except in a ClearVision Area.

“Selvage”: Chain-link fence has two types of selvages: knuckle and twist (barb). Knuckle is more round and much safer because it has no sharp points to catch on clothing or people. However, twisted or barbed have sharp ends for high security. Knuckle selvage is allowed for residential chainlink fence systems, while barbed-selvage is allowed for commercial or high-security fence systems.

“Sight-Obscuring Fence” (or: “Sight-Obscuring Screen”): Consists of either a continuous fence, wall, evergreen planting, or combination thereof, constructed and/or planted so as to effectively screen the particular use from view.

## 9.12.040

B7 : Where a residential use abuts another residential zone a fence, wall, or sight-obscuring fence may be constructed/grown and maintained immediately adjacent to the abutting property line so long as it is not greater than 6 feet in height(except where clear vision would be impaired (as defined in YMC section 9.64.010), or up to 8 feet in height with approval by the Planning Commission through a public hearing in accordance with Chapter 9.80. When such a fence is placed above a retaining wall immediately adjacent to a property line, the combined height of the retaining wall and fence cannot exceed 8 feet.

## 9.16.040

B7 : Where a residential use abuts another residential zone a fence, wall, or sight-obscuring fence may be constructed/grown and maintained immediately adjacent to the abutting property line so long as it is not greater than 6 feet in height(except where clear vision would be impaired (as defined in YMC section 9.64.010), or up to 8 feet in height with approval by the Planning Commission through a public hearing in accordance with Chapter 9.80. When such a fence is placed above a retaining wall immediately adjacent to a property line, the combined height of the retaining wall and fence cannot exceed 8 feet.

## 9.20.040

B7 : Where a residential use abuts another residential zone a fence, wall, or sight-obscuring fence may be constructed/grown and maintained immediately adjacent to the abutting property line so long as it is not greater than 6 feet in height(except where clear vision would be impaired (as defined in YMC section 9.64.010), or up to 8 feet in height with approval by the Planning Commission through a public hearing in accordance with Chapter 9.80. When such a fence is placed above a retaining wall immediately adjacent to a property line, the combined height of the retaining wall and fence cannot exceed 8 feet.

## 9.24.040

B7 : Where a residential use abuts another residential zone a fence, wall, or sight-obscuring fence may be constructed/grown and maintained immediately adjacent to the abutting property line so long as it is not greater than 6 feet in height(except where clear vision would be impaired (as defined in YMC section 9.64.010), or up to 8 feet in height with approval by the Planning Commission through a public hearing in accordance with Chapter 9.80. When such a fence is placed above a retaining wall immediately adjacent to a property line, the combined height of the retaining wall and fence cannot exceed 8 feet.

## Section 9.48.010 General requirements.

G. Except for parking to serve dwelling uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than five (5) feet in height ~~where vision clearance is required and not to exceed eight (8) feet except in Clear-Vision Areas as defined in YMC section 9.64.010.~~

## Section 9.64.010 Design standards.

9.64.010A2 :No temporary or permanent obstruction (e.g., structure, fence, or shrub vegetation) ~~between greater than~~ three (3) feet and eight (8) feet in height shall be placed in clear-vision areas on streets, driveways, or alleys, as shown in the Clear-Vision ~~Area-Diagram figure~~ below. Trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight (8) feet above grade.

9.64.010B :Fences, Hedges and Walls. Fences, ~~hedges-Hedges~~ and ~~walls-Walls~~ may be located within required yards, but shall not exceed three (3) feet in height ~~in any required yard which abuts and runs parallel to a street other than an alley within the Clear-Vision Area diagram below.~~ Hedges that front Highway 101 are exempt from this height requirement as long as the height does not interfere with ~~clear-Clear vision-Vision~~ requirements in Section 9.64.010(A)(3).

## Chapter 9.68 - Manufactured Dwellings, Manufactured Dwelling Parks and Recreational Vehicles

9.68.030 C15 : Buffering or screening, if required by the Planning Commission, shall ~~be sight-obscuring fence, wall, evergreen or other suitable planting at least six feet high, or higher.~~ "Screening Buffer" (see definition in [YMC Section 9.04.030](#));

## -Section 9.72.050 Standards and procedures governing conditional uses.

9.72.050 G3 : Outdoor storage shall be on the side or rear of the building, and shall be screened with a ~~sight-obscuring fence, hedge or wall~~ "Screening Buffer" (see definition in [YMC Section 9.04.030](#)).