

1 City of Yachats
2 **Planning Commission Work Session**
3 **Summary Minutes**
4 August 9, 2022
5

6 (0:17) John Theilacker called the Planning Commission Work Session meeting to
7 order August 9, 2022, at the new time, 10:00 AM.
8

9 Present: Loren Dickinson, Lance Bloch, Chair, Christine Orchard, Julie Bailey,
10 John Theilacker, Co- Chair and Tod Davies

11 Absent: Danos

12 Staff: Katherine Guenther, Planner

- 13 I. (2:00) Parking Analysis Update – Dickinson stated there is nothing new to report;
14 consultant is working on a draft report and submit for the teams review; emails
15 and 1 zoom session was had with discussion of the content; to be review and
16 finalized; Bloch will have to schedule a joint meeting with council in Sept. that will
17 also cover the housing needs. Guenther will coordinate with council to set the
18 meeting; Call it an informative session; Brian Davis is the contact person.
- 19 II. (4:12) Housing Needs Assessment Update – Dickinson stated noting to report on
20 hosing at this time.
- 21 III. (9:58) Housing needs assessment see attached summary from Danos (absent);
22 Theilacker stated this is a write up of the joint meeting; will have a steering
23 meeting later this month with Danos and O’Shaughnessy; forward the feedback
24 to the consultant to redraft and present to city council and the residence at the
25 community meeting; consideration of date of sept 13th or 14th, no date has been
26 chosen yet.
- 27 IV. (14:05) Title 9 definitions review – Theilacker (attachment) the draft of definitions
28 are highlighted and underlined; these are the following proposed changes
29

30 The Planning Commission reached consensus on deleting the term “apartment” and its
31 definition.

32 The Planning Commission reached consensus to strike “/Porch” from the existing term
33 “Deck/Porch”, but did not reach consensus on a new definition for “Deck”. **“Deck/Porch”**
34 **Existing: Means an outside walking area, the floor of which is elevated more than eight (8)**
35 **inches from grade.**

36 **(33:50) “Dwelling” Existing: Means a building or portion thereof which is occupied in whole or**
37 **in part as a residence or sleeping place, either permanently or temporarily by one or more**
38 **families, but excluding hotels, motels, or tourist courts.** Sample alternative: “Means a building
39 or portion thereof which is occupied in whole or in part as a residence, either permanently or

1 temporarily, by one or more families, but excluding hotels, motels, and tourist courts, with
 2 permanent provision for living, sleeping, eating, food preparation, and sanitation. Dwellings
 3 include both buildings constructed on-site and manufactured homes.” (City of Florence)

4 **“Dwelling, Vacation Rental”**: Existing: Not currently defined in Title 9. Sample definition (from
 5 Title 4 of YMC): “Means single-family dwelling, duplex, or triplex which is rented, or held out as
 6 available for rent, for periods of less than thirty (30) days, such as by the day or week, excluding
 7 any facility that meets the definition of “bed and breakfast facility” *(added)*. The dwelling may
 8 consist of individual units or be in a contiguous form to be considered a vacation rental
 9 dwelling; however each individual unit is to be considered separately for licensing and
 10 regulation purposes in accordance with Chapter 4.08 of YMC. A dwelling which is listed with an
 11 agent as a vacation rental, advertised, available by referral, word of mouth, commendation or
 12 reputation are some of, but not limited to, the ways of identifying a vacation rental. It shall be a
 13 rebuttable presumption that a dwelling unit is a vacation rental if it is visited overnight by at
 14 least four (4) different vehicles over the course of a month, for three (3) consecutive months.
 15 The exchange of consideration is not necessary to meet the definition of a vacation rental
 16 dwelling if the dwelling otherwise is held out as available for occupancy for periods of not less
 17 than thirty (30) days.” (YMC slightly edited)

18 **(43:43) “Height of Building”** Existing: “Means the vertical distance from the average finished
 19 grade to the highest point of the building plus any fill above the natural grade. To determine
 20 building height, calculate the average building height, then divide the two (2) building heights
 21 by two (2). Add together the average height for each side and divide by the number of sides.”

22 Sample alternatives: “Means the vertical distance measured from the average between the
 23 highest to lowest natural/existing or proposed lot grades around the perimeter of the structure
 24 to the highest point of the roof. When determining whether to utilize existing or proposed
 25 grade, whichever is most restrictive and results in the lowest allowed building height.” (Jac.)

26 “Means the vertical distance from the average finished grade at the front of a building to the
 27 highest point of the coping of a flat roof or to the deck line of a mansard roof or the peak height
 28 of the highest gable of a pitch, shed, or hip roof.” (City of Florence)

29 “Means the vertical distance above a referenced datum measured to the highest point of the
 30 coping of a flat roof, to the deck line of a mansard roof, or to the average height of the gables
 31 of a pitched or hipped roof. For the purpose of residential zones, building height shall be the
 32 vertical distance above a referenced datum measured to the highest point of the roof. The
 33 referenced datum shall be whichever of the following two measurements results in the greater
 34 building height:

35 (A) The referenced datum is the lowest grade when the highest ground surface within a
 36 five-foot horizontal distance of the exterior wall of the building is not more than ten
 37 (10) feet above the lowest grade.

1 (B) The referenced datum is ten (10) feet higher than the lowest grade when the highest
 2 ground surface described in item (A) above is ten (10) feet or more above the lowest
 3 grade.” (City of Eugene)

4 *(Note: Samples of building height definitions typically included an illustration to help explain the*
 5 *method for determining building height. I did not include them here.)*

6 **(1:02:36)“Hotel”** Existing: “Means a series of sleeping units, each having a separate entrance,
 7 composed of one or more bedrooms and bathroom, excluding any facility which meets the
 8 definition of “bed and breakfast facility”.” Sample alternatives: “Means a facility with guest

9 rooms or suites, with or without kitchen facilities, rented to the general public for transient
 10 lodging. Hotels typically include a variety of services in addition to lodging, for example,
 11 restaurants, meeting facilities, spas, saunas, swimming pools, and other personal services.”
 12 (Jac., edited); “Means any structure or any portion of any structure containing three or more
 13 units, which is occupied or intended or designed for occupancy by transients for dwelling,
 14 lodging, or sleeping purposes, and includes any hotel, inn, tourist home, or house.” (Jac.)

15 “Means a building in which lodging is provided to guests for compensation and in which no
 16 provisions are made for cooking in the lodging rooms.” (City of Bandon); “Hotel/motel means a
 17 building or group of buildings containing six (6) or more guest rooms that are used, rented, or
 18 hired out for sleeping purposes on a nightly or weekly basis. Guest rooms may have cooking
 19 facilities and may or may not be accessible from an outdoor parking area. (City of Eugene);

20 “Means any building or group of buildings used for transient residential purposes, containing
 21 four (4) or more guest units with or without house-keeping facilities.” (City of Florence); “Hotel
 22 (transient), means a building in which lodging is provided for guests for compensation and
 23 contains a common entrance and where lodging rooms do not have an opening directly to the
 24 outdoors (except for emergencies), with or without cooking facilities, and where fifty (50)
 25 percent or more of the lodging rooms are for rent to guests for a continuous period of less than
 26 thirty (30) days. Short-term rental use of a single-family, duplex, or triplex is not a hotel use.”

27 (City of Newport); “Hotel (non-transient), means a building in which lodging is provided for
 28 guests for compensation and contains a common entrance and where lodging rooms do not
 29 have an opening directly to the outdoors (except for emergencies), where cooking facilities are
 30 provided within individual lodging rooms, or for groups of lodging rooms, and where fifty (50)
 31 percent or more of the lodging rooms are for rent to guests for a continuous period of thirty
 32 (30) days or longer. Short-term rental use of a single-family, duplex, or triplex is not a hotel
 33 use.” (City of Newport); *(Note: See “Motel”)*

34 **(“Impervious surface” - Existing: (Not currently defined)** Sample definition: “Means a surface
 35 that has been compacted or covered with a layer of material so that it prevents or is resistant
 36 to the infiltration of water, including, but not limited to, structures such as roofs, buildings,
 37 storage sheds; other solid, paved, or concrete areas such as streets, driveways, sidewalks,
 38 parking lots, patios, tennis or other paved courts; or athletic playfields comprised of synthetic
 39 turf materials.” (PA municipality)

1 **“Impervious surface ratio”** Existing: (Not currently defined) Sample definition: “Means a
 2 measure of the intensity of the use of a piece of land. It is measured by dividing the total area
 3 of all impervious surfaces within a site by the gross lot area.” (PA Municipality); (Note:
 4 *“Impervious surface ratio” could be substituted for the term “lot coverage”, and serve as a*
 5 *standard for all base zoning districts. For example, for the R-1 District: “Maximum impervious*
 6 *surface ratio” – 30%*

7 **“Motel”** - Existing: “Means a series of sleeping units, each having a separate entrance,
 8 composed of one or more bedrooms and bathroom, excluding any facility which meets the
 9 definition of “bed and breakfast facility.”

10 “Motel or other tourist accommodation means a structure or part of a structure, containing
 11 motel rental units, occupied or designed for occupancy by transients for lodging or sleeping and
 12 including the terms “hotel” and “inn”, but shall not include the term “bed and breakfast
 13 establishment” or the transient occupancy of a dwelling unit regulated by this title.” (City of
 14 Cannon Beach)

15 “Means a building or group of buildings on the same site containing guest units with separate
 16 entrances directly to the exterior and consisting of individual sleeping quarters, detached or in
 17 connected rows, for rental to transients. (City of Bandon)

18 “Hotel/motel means a building or group of buildings containing six (6) or more guest rooms that
 19 are used, rented, or hired out for sleeping purposes on a nightly or weekly basis. Guest rooms
 20 may have cooking facilities and may or may not be accessible from an outdoor parking area.
 21 (City of Eugene)

22 “Motel (transient), means a building or groups of buildings in which lodging is provided for
 23 guests for compensation, containing lodging rooms with separate entrances from the building
 24 exterior, with or without cooking facilities, and where fifty (50) percent or more of the lodging
 25 rooms are for rent to guests for a continuous period of less than thirty (30) days. Vacation
 26 rental use of a single-family, duplex, or triplex, as defined in this Ordinance, is not a motel use.”
 27 (City of Newport slightly edited)

28 “Motel (non-transient), means a building or groups of buildings in which lodging is provided for
 29 guests for compensation, containing lodging rooms with separate entrances from the building
 30 exterior, where cooking facilities are provided within individual lodging rooms, or for groups of
 31 lodging rooms, and where fifty (50) percent or more of the lodging rooms are for rent to guests
 32 for a continuous period of thirty (30) days or longer. Vacation rental use of a single-family,
 33 duplex, or triplex, as defined in this Ordinance, is not a motel use.” (City of Newport slightly
 34 edited)

35 **“Lot coverage”**; Existing: (Not currently defined, although the term “lot coverage”, as a
 36 standard within all base zoning districts, is limited to buildings, porches and decks.) - Sample

1 alternatives: “Means that portion of a lot which, when viewed directly from above, would be
2 covered by buildings, access ways, parking spaces and surfaced areas.” (City of Florence)

3 “Means the percentage of the gross lot area that is fully covered by impervious surfaces.” (PA
4 municipality)

5 “Lot coverage means the portion of the lot area that is covered with the following
6 improvements:

- 7 (1) The area of the exterior perimeter of all buildings, including dwellings, accessory
8 buildings, garages, and car ports; and
- 9 (2) The area of all structures that are thirty (30) inches in height above the existing grade,
10 including porches, decks, stairways; and
- 11 (3) Paved or graveled areas designated for off-street parking; and
- 12 (4) That portion of the area of decks, less than thirty (30) inches in height above the existing
13 grade, patios, courtyards, and graveled and paved areas, other than designated off-
14 street parking, which exceeds twenty-five (25) percent of the allowable lot coverage;
15 and
- 16 (5) Fifty (50) percent of areas covered with a defined pattern of void spaces to
17 accommodate soil, live vegetation, and drainage between the structural elements, such
18 as Grasscrete or similar treatments.

19 The following improvements shall not be included in the calculation of lot coverage:

- 20 a. Projections from buildings such as eaves, overhangs, and bay windows which meet the
21 requirements of Section _____; projections into required yards;
- 22 b. Arbors not exceeding one hundred twenty-five (125) square feet in area; and
- 23 c. Decks, less than thirty (30) inches in height above the existing grade, patios, courtyards,
24 and graveled and paved areas, other than designated off-street parking, whose total
25 area does not exceed twenty-five (25) percent of the allowable lot coverage.” (City of
26 Cannon Beach)

27 **“Lot line, street side” - Existing: (Not currently defined)** - Proposed definition: “Means the side
28 lot line at abutting street.” (Loren)

29 **“Patio” - Existing: (Not currently defined)** - Sample definitions: “Means a paved outdoor area
30 adjoining a house.” (Jac.)

31 “Means an area consisting of natural or man-made material constructed at or near grade level,
32 intended for use as an outdoor living area, and not enclosed by a permanent roof or awning.”
33 (Jac.)

34 **“Parking space, off-street” - Existing: Means a parking space located outside of a public right of**
35 **way with minimum dimensions of eighteen (18) feet long and nine (9) feet wide. Off-street**
36 **parking spaces shall have surfaces such as gravel, pavement, tile, brick, or concrete suitable for**
37 **parking a vehicle. Required off-street parking spaces shall not be located in a required yard that**
38 **abuts a street.”**

1 Sample alternative: “Means a parking space located outside of a public right of way with
2 minimum dimensions of eighteen (18) feet long and nine (9) feet wide. Off-street parking
3 spaces shall have surfaces such as gravel, pavement, tile, brick, or concrete suitable for parking
4 a vehicle.”

5 *(Note: The text which is proposed to be deleted from the existing paragraph above is a*
6 *regulation, and would most appropriately be added to Section 9.48.010 of Title 9.)*

7 **“Parking space, accessible”** - Existing: (Not currently defined) - Sample definition: “Means an
8 off-street parking space for handicap access to or from a vehicle, designed in accordance with
9 the Americans with Disabilities Act (ADA). The accessible parking space shall be at least nine (9)
10 feet wide with an adjacent access aisle at least six (6) feet wide. The access aisle shall be at least
11 eight (8) feet wide for an accessible parking space designated as “van-accessible” or reserved
12 for wheelchair users only.” (Oregon Transportation Commission, edited)

13 **“Porch”** - Existing: “Means an outside walking area, the floor of which is elevated more than
14 eight (8) inches from the ground.” - Sample alternative: “Means an open structure that has
15 breathable walls, but protection above it, usually, a covered shelter projecting in front of the
16 entrance of the building.” (Jac.)

17 **“Yard”** - Existing: Means a space other than a court on the same lot with a building open to the
18 ground.”

19

20 Sample alternatives: “Means an open space on the same lot with a building, unoccupied and
21 unobstructed from the ground upward except as otherwise provided herein.” (City of Florence)

22 “Means a required space on the same lot with a building, unoccupied, and unobstructed from a
23 point 30 inches above grade upward, except as otherwise provided herein.” (City of Eugene)

24 **“Yard, Front”** - Existing: Means a yard extending across the full width of the lot, the depth of
25 which is the minimum horizontal distance between the front lot line and a line parallel thereto
26 at the nearest point of the foundation of the main building. Sample alternative: “Means an
27 area lying between the side lot lines, the depth of which is a specified horizontal distance
28 between the street line and a line parallel thereto on the lot.” (City of Florence)

29 **“Yard, Rear”** - Existing: Means a yard extending across the full width of the lot between the
30 most rear main building and the rear lot line; but for determining the depth of the required rear
31 yard it shall be measured horizontally from the nearest point of the rear lot line; or, if the rear
32 lot line adjoins an alley, then from the center line of the alley, toward the nearest part of the
33 foundation of the main building.

34 Sample alternative: “Means an area lying between side lot lines, the depth of which is a
35 specified horizontal distance between the rear property line and a line parallel thereto on the
36 lot.” (City of Florence)

1 **“Yard, Street Side” - Existing: (Not currently defined)** - Sample definition: “Means a yard
2 extending across the full length of a corner lot, the depth of which is the minimum horizontal
3 distance between the lot line abutting the street and a line parallel thereto at the nearest point
4 of the foundation of the main building. The minimum depth for a street side yard is the same as
5 that required for the front yard of a corner lot.” (John T.)

6 “Means a yard on a corner lot that is adjacent to a street between the front yard and the rear
7 lot line measured horizontally and at right angles from the side lot line to the nearest point of a
8 building.” (Lincoln County) *(Check for compatibility with definition of “lot, corner”)*

9 *(Note: Most zoning ordinances don’t include the term “street side yard” because a corner lot is*
10 *typically regulated as having two required front yards, one required side yard, and one required*
11 *rear yard.)*

12 Will continue on the next work session meeting. Theilacker adjourned the meeting
13 adjourned at 11:43 AM.

14

15 Prepared by Kimmie Jackson, Deputy Recorder