

1 YACHATS PLANNING COMMISSION  
2 June 19, 2018

3  
4 Draft Minutes  
5

6 Chair Helen Anderson called the June 19, 2018 meeting of the Yachats Planning Commission to  
7 order at 3:00 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen  
8 Anderson, Ginny Hafner, **Mary Ellen O'Shaughnessey**, Shelly Shrock, and James Kerti. Absent:  
9 Christine Orchard. Staff present: City Planner Larry Lewis. Audience: 5.

10  
11 I. Announcements and Correspondence - none  
12

13 II. Minutes

14 A. May 15, 2018 Work Session Meeting

15 Page 1, Line 13: **add "was needed" to end of sentence starting with, "Commissioner**  
16 **Anderson clarified Planner Lewis..."**

17 **Page 1, Line 30: "adverted" should be "averted"**

18 **Page 1, Line 33: "it the sewer system" should read, "the sewer system"**  
19

20 Commissioner Kerti moved to approve the May 15, 2018 work session minutes as amended: Aye –  
21 6; No – 0.  
22

23 B. May 15, 2018 Regular Meeting

24 Page 1, Lines 48-49: **"Parcel 2 was adjusted" should read "Parcel 2, which was adjusted"**

25 **Page 3, Line 27: "would have to go a commercial building contractor" should read, "would**  
26 **have to go to a commercial building contractor"**

27 **Page 3, Line 48: "Anderson reported she sent ask the City Manager to" should read,**  
28 **"Anderson reported she asked the City Manager to"**  
29

30 Commissioner **O'Shaughnessey** moved to approve the May 15, 2018 Planning Commission  
31 meeting minutes as amended: Aye - 6; No – 0.  
32

33 **III. Citizen's Concerns** - none  
34

35 IV. Public Hearing

36 A. Continuation of Case File #1-PAR-PC-18 Lot Partition Application – Nicholas  
37 Alexander

38 Anderson reopened the Public Hearing on file #1-PAR-PC-18 and asked Commissioners if they  
39 needed to make any additional disclosures. There were none.  
40

41 Lewis explained he asked the property owner for information on parking. He attached a diagram  
42 indicating up to six parking spaces for the current duplex dwelling. He noted there was adequate  
43 lot size for each partition.  
44

45 Anderson opened the public testimony portion of the hearing, and not testimony was received.  
46 Anderson closed the public testimony portion of the hearing.  
47

48 Commissioner suggested they have enough information to decided on this application. Lewis  
49 suggesting adding a fifth condition requiring that four parking spaces be maintained as long as the  
50 dwelling was operated as a duplex.  
51

1 Urban moved to approve case file #1-PAR-PC-18 allowing the partition of Lincoln County tax lot  
2 #14-12-27-AA (1109 King Street) and to have the City Planner prepare the findings for the Chair's  
3 signature: Aye – 6; No – 0.

4  
5 Anderson closed the public hearing on #1-PAR-PC-18

6  
7 B. Case File #1-VAR-PC-18 Variance Request – Robert Anthony  
8 Anderson opened the public hearing for #1-VAR-PC-18

9  
10 Anderson ascertained the following:

- 11 1. No person objected to the jurisdiction of the Planning Commission to hear this case.
- 12 2. No Commissioner wished to abstain because of conflict of interest or concern for  
13 impartiality.
- 14 3. Commissioner Kerti declared ex parte contact based on frequent visits to Yachats Plaza  
15 and conversations with business owners regarding the Highway 101 Project's impact on the  
16 businesses, but he would not be biased in his adjudication on this matter.
- 17 4. The Commission had been given all testimony submitted to date.
- 18 5. Commissioners believed they have had adequate time to review the application.

19  
20 Planner Lewis summarized the Public Hearing process. Lewis summarized the application and  
21 relevant City Code as presented in his Staff Report. Lewis explained the applicant wanted to build  
22 a permanent structure where a temporary covered space now exists and to waive additional  
23 parking requirements for this addition. He indicated the new 400 square foot structure required 4  
24 new parking spaces. Lewis highlighted this property had the greatest adverse impact of any  
25 property during the 101 Project, noting there were 15 spaces prior to the Project and there were 10  
26 spaces now. He added that the prior 15 spaces would meet the current parking requirement.  
27 Lewis noted some additional on-street parking has been added on Beach Street through the  
28 conversion of parking spaces to diagonal parking.

29  
30 Anderson opened to the Public Input portion of the hearing.

31  
32 Applicant Anthony indicated Lewis adequately covered his concerns. There were no opponents to  
33 the application.

- 34 1. John May (1040 Hanley Street) asked that builders be aware of a utility easement in the  
35 area.
- 36 2. Phillip Schuster (290 W 2<sup>nd</sup> Street) indicated they have addressed the utility easement.  
37 He asked about the 120-day completion clause in the application. Lewis explained the 120-  
38 **day regulation concerns the City's deadline to make a decision on the application, not for**  
39 **the building to begin.**

40  
41 Shrock noted the addition of spaces on Beach Street compensated for the five spaces lost in the  
42 highway construction, and Lewis indicated the Beach Street spaces are on-street. Kerti observed  
43 the parking issue to this building has had significant impact on the businesses in that Plaza. Kerti  
44 also noted the popularity of this outdoor seating area.

45  
46 Urban clarified with Lewis about standards for building an outdoor seating area which are part of  
47 the building application process with Lincoln County.

48  
49 Criterion A: Commissioners agreed exceptional circumstances apply to this property.  
50 Criterion B: Commissioners agreed **the variance is required to preserve the applicant's property**  
51 **rights.** Urban clarified the applicant is Robert Anthony who has the permission of the property  
52 owner, Gary Church.

1  
2 Criterion C: Commissioners agreed granting this variance would result in no detrimental impacts to  
3 this title or to City plans or policy.

4  
5 Criterion D: Commissioners agreed the variance is the minimum required to alleviate the hardship.

6  
7 Criterion E: Commissioners agreed the variance request does not arise from a zoning violation.

8  
9 Kerti moved to approve case file #1-VAR-PC-18 with the conditions outlined in the Staff Report and  
10 to have the City Planner prepare the findings for the Chair's signature: Aye – 6; No – 0.

11  
12 Anderson closed the public hearing on #1-VAR-PC-18.

### 13 14 **V. Planner's Report**

15 Lewis summarized building activity from May 9 to June 5, 2018 in his Planner's Report in the  
16 meeting packet.

#### 17 18 V. Other Business

##### 19 A. From the Commission

20 Anderson reported Councilor Glenn attended an affordable housing meeting in Newport where he  
21 received a list of suggestions for encouraging the creation of affordable housing. Glenn wanted  
22 the Planning Commission to assess what is possible within the Yachats Municipal Code.

23 Anderson explained that accessory dwelling units (ADUs) are the current popular approach, but  
24 that in Portland, ADUs were being occupied by the property owner and the main house being  
25 turned into a

##### 26 27 B. From Staff - none

28 Anderson summarized the City Attorney's statement regarding how the City could proceed to  
29 address controlling a business license when building permits are not followed. Anderson  
30 suggested the Commission could recommend to Council that that a Certificate of Occupancy be  
31 included in business license applications or the Commission could suggest a revision in section  
32 4.04 to incorporate a Certificate of Occupancy into the licensing process.

33  
34 Hafner wanted Connor to be notified that the Planning Commission has been addressing his  
35 concerns over the line of sight issue on his property.

36  
37 Anderson handed out a draft form regarding tracking Commission activity. She suggested keeping  
38 paper records, which could be uploaded to the document library when completed. Anderson  
39 indicated indicated she would go through meeting minutes to ascertain activity for the past few  
40 years.

41  
42 Hafner clarified there would be three separate public hearings on the Comp Plan, Light Industrial,  
43 and Signs at the next meeting.

44  
45 **O'Shaughnessy asked for** clarification on the code regarding formula business in light of a property  
46 on the corner of E 3<sup>rd</sup> Street and Highway 101. Lewis noted the Council has passed the ordinance.

47  
48 Shrock asked about the recent building at the Drift Inn. Anderson explained that the Drift Inn has  
49 added a covered patio section behind the Mercantile as part of the work on converting the old  
50 laundromat to hotel rooms. Anderson indicated this area would require additional parking, and she  
51 has asked the City Planner to visit the site and review the Condition Use Permit and total parking  
52 requirements for the complex. Anderson also noted the parking in the old clinic parking lot was

1 changed from the Conditional Use Application where parallel spaces were approved and diagonal  
2 parking was added.

3  
4 Rhonda Moran (Coolidge Lane) pointed out she keeps hearing at various meetings how people are  
5 allowed to slip by regulations. Anderson asserted that Commissions are working to establish  
6 policies and rules and to get people to follow those rules. Shrock added that the change from a  
7 Mayor to City Manager structure was resulting in more clarity in policies and regulations. Lewis  
8 noted land use decisions have been following the rules. Kerti added that having a qualified code  
9 enforcer would help with addressing violations.

10  
11 Moran asked how she could get a speed limit sign on her street. Shrock explained Public Works  
12 installed a speed sign on Greenhill.

13  
14 Anderson adjourned the meeting at 3:54 pm.

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16

17

18 \_\_\_\_\_ Date \_\_\_\_\_

19 Helen Anderson, Chair

20 Minutes prepared by H H Anderson on July 9, 2018.

21  
22

DRAFT