

MEMORANDUM

TO: Yachats Planning Commission
Yachats City Planner Katherine Guenther

FROM: John Theilacker, Chair
Yachats Planning Commission

DATE: July 10, 2023

RE: Yachats Municipal Code Amendments, Title 9,
Hotels, Motels, Resorts, Inns and Hostels

At our Tuesday morning, July 11th work session, we will continue to draft needed amendments to Yachats Municipal Code, specifically Title 9, Hotels, Motels, Resorts, Inns, and Hostels. At our June Planning Commission work session, I believe we decided the following with respect to these commercial uses:

Within the current R-4 Residential Zone:

- a) Motel, hotel, or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101, with or without accessory commercial uses, would continue to be a permitted “by-right” use.
- b) Motel, hotel, or resort on less than a minimum of 1.0 acre, but with direct access provided from U.S. Highway 101, with or without accessory commercial uses, would be subject to Conditional Use approval.
- c) Motel, hotel, or resort without direct access provided by U.S. Highway 101 would not be permitted in the R-4 Zone.

Within the current C-1 Retail Commercial Zone:

- a) Motel, hotel, or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101, with or without accessory commercial uses, would continue to be a permitted “by-right” use.
- b) Motel, hotel, or resort on less than a minimum of 1.0 acre, but with direct access provided from U.S. Highway 101, with or without accessory commercial uses, would be subject to Conditional Use approval.

- c) Motel, hotel, or resort with six rental units, and regardless of proposed lot size, but without direct access provided from U.S. Highway 101, and with or without accessory commercial uses, would be subject to Conditional Use approval.

We did not discuss inns or hostels with regard to either the R-4 or C-1 Zones – these uses are not mentioned in the code today. By comparison, a bed and breakfast facility is subject to Conditional Use approval in the R-4 Zone and also in the C-1 Zone. Should inns and hostels be similarly permitted in one or both zones?

Commissioner Bloch felt strongly that motels, hotels, or resorts proposed for the C-1 Zone without direct access provided from U.S. Highway 101, regardless of lot size, should only be permitted when limited to six rental units, and subject to Conditional Use. (Note that motels, hotels, and resorts are defined as having six or more rental units – anything less would constitute a short-term rental dwelling.) I'm concerned that the limit of six rental units would be found arbitrary if appealed to Council or LUBA, and would prefer that the Commission discuss this further.

We also discussed the possibility of amending the problematic standards for motel, hotel, or resort in the current R-4 Zone. Our City Planner suggested establishing new standards for these uses under Chapter 9.72. Conditional Uses.

With regard to possible standards for motels, hotels, and resorts under Chapter 9.72 Conditional Use, the following standard already exists under Section 9.72.050:

- A. Hotels or resorts (*no mention of motel*) in an R-4 zone shall have a minimum lot area per guest unit of one thousand five hundred (1,500) square feet. (*This standard is repeated in Section 9.24.040 of the R-4 zone, except the word "motel" is included, as are the words "with a public water and sewer system."*)

If motels, hotels, and resorts were permitted in the C-1 zone without direct access provided from U.S. Highway 101, the following standards could be added to 9.72.050 rather than in the R-4 zone:

- B. Ingress or egress to a motel, hotel, or resort shall not be allowed from less than a thirty-five (35) foot public street right-of-way and a twenty-five (25) foot all weather travel surface, accessible to emergency vehicles. *(I propose we drop the ability to dedicate a 10 foot easement if 35 feet of right-of-way is not possible.)*
- C. Motels, hotels, and resorts shall not have vehicle access to or from a cul-de-sac or dead end street.

Additional standards could be added for all motels, hotels, and resorts, regardless of which zone, and how (by-right vs. CU) they are permitted:

- D. Parking areas associated with motels, hotels, and resorts which are 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, except where vision clearance is required.
- E. Motels, hotels, and resorts shall be designed to provide safe and direct access by emergency vehicles, as determined by the Yachats Rural Fire Protection District.
- F. Except for security lighting for pathways and building doors, outdoor lighting fixtures for motels, hotels, and resorts shall be extinguished every day between the hours of 11:00 p.m. to 5:00 a.m..

If the above language was added as a set of standards under the Conditional Use provisions, the existing language in other parts of the code would also need to be revised to avoid redundant or conflicting provisions. And, there may be other potential standards to add to this portion of the Code based on input from our City Planner and other Commissioners.

