

MEMORANDUM

TO: Yachats Planning Commission
Yachats City Planner Katherine Guenther

FROM: John Theilacker, Chair
Yachats Planning Commission

DATE: August 10, 2023

RE: Yachats Municipal Code Amendments, Title 9,
Conditional Use Application Submittal Requirements

At our August 15th Planning Commission meeting, we will continue our discussion of the Yachats Municipal Code, specifically Title 9, Zoning and Land Use. At our August 8th work session, we began a discussion on conditional use application submittal requirements specifically related to the need for a detailed site plan from applicants. I'd like to pick up where we left off, and offer the following for your consideration in advance of our discussion.

Section 9.72.030 of Chapter 9.72, Conditional Use, states: "Building permits for all or any portion of a conditional use shall be issued only on the basis of the plan as approved by the Planning Commission." Clearly this provision and the sentence that follows it assume that the Conditional Use application includes a site plan that is reviewed and approved by the Planning Commission.

I believe that a section listing minimal submittal requirements for CU applications could easily be added to Section 9.72.020 of Chapter 9.72, Conditional Use. Uses requiring Conditional Use approval are typically considered uses of special impact, and as such, a site plan accompanying other application material is necessary to allow City staff and the Planning Commission to understand and address potential impacts, and include reasonable conditions to mitigate such impacts as part of a CU approval. It would also be good to review the City's Conditional Use application forms to see what submittals are currently required of an applicant, and whether these form(s) should also be updated to require a detailed site plan. And, as City Planner Guenther noted, some conditional uses may not require the submittal of a detailed site plan.

The following sample text outlines the contents of a site plan that our City could require as part of a Conditional Use application. It is not as thorough as that required in the City of Albany sample, but would be far better than anything we have today. Adding something like this to our Code would mean that most conditional use applicants would need to hire a registered civil engineer, surveyor, architect, or landscape architect to prepare the plan. Some municipalities

require that such plans be prepared by these professionals and must include their seal. Additional application materials may be required based on the specific use.

“Site Plan. The application for conditional use shall be accompanied by a proposed site plan to include the following information. If any listed item below is not provided, the applicant shall include a written explanation why it should not be applicable to this development:

- (1) Site plan, including date drafted, space(s) for revision date, with north arrow, drawn to scale of one inch equals twenty (1"=20') feet, unless otherwise approved by the City Planner. The plan must be clear, measurable, and fully dimensioned.*
- (2) Total gross and net land areas of the entire site. (“Net” is minus the square footage of any land proposed for dedication to the public, not including easements.)*
- (3) Label and show the lengths of all existing property lines of the development site.*
- (4) Label and show the zoning designations, property boundaries, land uses, and approximate building locations of all adjacent properties.*
- (5) Label and show the locations, widths, and names of all existing or platted adjacent public streets, alleys, sidewalks, planter strips, curbs, and other public rights-of-way, and other important features such as City boundary lines.*
- (6) Either as part of the site plan, or on a separate sheet drawn to the same scale as the site plan, existing site features shall be shown, including ground topography (contours), wooded or naturally vegetated areas, trees of 8 inches DBH or greater, floodplains, shorelines, wetlands, riparian corridors, geologic hazard zone, and any existing buildings, roads, trails, fences, or other physical improvements, and all existing easements.*
- (7) Label and show all existing natural drainage patterns, flow arrows showing existing and proposed drainage patterns, and existing and proposed swales, ditches, or other drainage ways.*
- (8) Location, dimensions, use, coverage, and height of proposed buildings and proposed improvements in relation to property and street lines.*
- (9) Dimensional features showing compliance with the applicable area, width, coverage, yard, vision clearance, natural resource protection standards, and other design standards as specified in this Chapter.*
- (10) Location, dimension, and arrangements of proposed facilities including sidewalks, parking areas, site access, and interior circulation, off-street loading and unloading, trash disposal areas, and lighting for these areas.*
- (11) Zoning tabulations based on the underlying zone or zones if split, including minimum lot area and proposed lot area (measured in square feet, or acres if exceeding one (1) acre); maximum gross floor area and proposed gross floor area, if applicable; maximum residential density and proposed residential density (measured in dwelling units per acre), if applicable; minimum yard areas and proposed yard areas; maximum building height and proposed building height; maximum building and impervious lot coverage and proposed building and impervious lot coverage; and minimum required parking and proposed (off-street) parking.*

- (12) *Location, dimensions, and arrangement of all areas devoted to open space, retention of existing trees and vegetation, proposed ground cover, trees and other native plantings, and recreation.*
- (13) *A copy of the last recorded subdivision plan of which the property is part.*
- (14) *Locations and designs of all on-site and off-site improvements related to access control and traffic capacity.”*

We could also add the submittal of architectural plans and elevations to the conditional use application requirements. Such language could appear as follows:

“Architectural Plans and Elevations

Any application for conditional use shall be accompanied by fully dimensioned architectural drawings, elevations, and plans for any proposed principal building or structure, or any addition to an existing principal structure. Drawings shall provide building height, materials, and colors to be used. Home occupations, bed and breakfast facilities, parking areas, and private boat docks shall be excluded from this requirement.”

Let’s plan on discussing this memo and your thoughts at our regular meeting next Tuesday, August 15th. Thanks!