



City of Yachats

**PLANNING COMMISSION**

January 21, 2020

**Draft Minutes**

**I. Call to Order**

Chair Helen Anderson called the January 21, 2020 meeting of the Yachats Planning Commission to order at 3:00 pm in Room 1 of the Yachats Commons. Members present: Helen Anderson, Loren Dickinson, Lance Bloch, Christine Orchard, Mary Ellen O’Shaughnessey, and Doug Conner. Absent: Jacqueline Danos. Staff present: City Planner Dave Mattison. Also present: COG Planner Justin Peterson. Audience: 2.

**II. Election of Chair and Vice-Chair**

Commission Bloch nominated Helen Anderson to be Chair: Aye – 6; No – 0.

Commissioner O’Shaughnessey nominated Lance Bloch to be Vice-Chair: Aye – 6; No – 0.

**II. Announcements and Correspondence**

Anderson announced she received an email from a person who submitted a letter about lighting saying that they appreciated the work the Commission did to get input on the issue. Anderson also reported she received a letter from Yvonne Hall about the lights at the new Fire Station. She noted the Code Enforcer has been communicating with Hall and has indicated most of the station is not within the City limits.

**III. Minutes**

**A. November 12, 2019 Public Meeting on Lighting**

**B. November 19, 2019 Work Session and Regular Meeting**

**C. December 17, 2019 Work Session and Regular Meeting**

Commissioner Orchard moved to approve the November 19 and December 17 Work Session and Regular meeting minutes as presented: Aye – 6; No – 0.

O’Shaughnessey moved to approve the November 12, 2019 Public Meeting on Lighting minutes as presented: Aye – 5; No – 0; Abstain – 1 (Orchard was not present).

**IV. Citizen’s Concerns - none**

**V. Public Hearings**

Anderson reported there will be two public hearings at the February 18, 2020 meeting. Planner Mattison stated the hearings are quasi-judicial, and one hearing was for a bed and breakfast on 610 Lemwick Lane and the other is for rezoning of the old fire department on W 2<sup>nd</sup> Street. Planner

1 Peterson stated the zoning hearing will be to make a recommendation to the Council rather than an  
2 outright approval or denial.

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4 Anderson asked about having more training on the quasi-judicial process, especially on how  
5 Commissioners can get specific information into the record. She noted some .have wanted to have  
6 the Planner include information in their staff report and some have wanted to recommend a change  
7 to the staff report. Mattison indicated that changes to a staff report should be made through a  
8 motion at the hearing. Peterson added that if the Commission wanted more information at the  
9 hearing, they would make a motion and continue the hearing to a date certain.

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11 Peterson added that, traditionally, the Planner based their report based on the application. There is  
12 also a possibility of sending a letter of change to the report and an amended staff report. Anderson  
13 described an example of a setback variance where she wanted to introduce the square footage of the  
14 home in the area from data from the county website as the applicant was proposing a home that was  
15 one of the larger in the area. She was told she could not submit that information at the hearing and  
16 wanted to know if there was a way to get that information into the staff red port before it was  
17 issued. Peterson suggested asking this question at the upcoming League of Oregon Cities training.  
18 Anderson noted there was a section of the introductory statement read at hearings that asked  
19 Commissioners if they had all the information they needed to make a decision. Mattison indicated  
20 that a Commissioner would still need to make a motion to get the additional information. He added  
21 that the motion could be voted down by other Commissioners.

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23 Anderson indicated in the variance setback case, she had taken a photograph of the site and was told  
24 that information could not be introduced. Mattison indicated one could ask the Planner to take  
25 photographs of the site. Mattison added that any site visit needed to be disclosed, and the applicant  
26 has the right to ask that the Commissioner not participate in the hearing due to bias.

27  
28 Commissioner Bloch summarized that he was understanding that requests could be made to the  
29 Planner as long as the proper channels of communication were followed. Peterson also stated the  
30 Planner could ask the applicant for additional information as part of preparing the staff report.

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32 Anderson clarified that Commissioners will have the staff report by February 11, 2019.

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34 O'Shaughnessey raised the issue of the last Bed and Breakfast conditional use hearing and whether  
35 they should have approved the conditional use before the building was complete. Orchard noted  
36 they did add a condition to stipulate that they cannot operate until the building was complete.  
37 Commissioners debated the issue. Anderson asked if the Commission could have continued the  
38 hearing to ask the applicant to provide a copy of their final inspection report. Mattison indicated  
39 they could. Commissioner Dickinson suggested they could add a condition that stated the applicant  
40 needed to provide the Certificate of Occupancy.

#### 41 42 **VI. Business**

43 Mattison summarized that they had 12 applications for new single-family homes last year, and they  
44 already have three applications this year. He summarized other activities in his report. He  
45 highlighted he had a meeting with Mr. Ruane by the Adobe to discuss getting easements for the  
46 water and sewer lines across his property. Bloch clarified that the water line is on the east side of  
47 the property at the driveway and does have an easement, but the sewer line on the west side does

1 not have an easement. Mattison indicated the other two properties by Ruane do have easements for  
2 the sewer line.

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4 **VII. Planner's Report**

5 Mattison summarized his report in the meeting packet.

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7 **VIII. Other Business**

8 **A. From the Commission**

9 Orchard stated she would not be present at the February meeting.

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11 **B. From Staff - none**

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13 Anderson adjourned the meeting at 3:28 pm.

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Helen Anderson, Chair

\_\_\_\_\_ Date

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20 Minutes prepared by H H Anderson on February 8, 2020.