

City of Yachats Comprehensive Land Use Plan

Comprehensive Land Use Plan Inventory - - - Yachats Zone Map

Adopted: March 25, 1980; Revised June 1990 by Ordinance #137; As Amended September 11, 1997 by Ordinance # 197 -Village Circulation Plan; As Amended March 12, 1998 by Ordinance # 202 - Village Circulation Plan, (This Ordinance repealed Ordinance # 197); As Amended December 27, 2000 by Ordinance #218 - Goal 17 Exception, As Amended November 14, 2002 by Ordinance # 232 Repealing Goal 17 Exception (This Ordinance repealed Ordinance # 218)

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I. Introduction

A. Purpose

In 1973 the State Legislature passed Senate Bill 100 (ORS 197) which established certain statewide requirements for land use planning. In particular, each city and county in the state is required, under the statute, to prepare and adopt comprehensive plans consistent with the statewide planning goals approved by the Land Conservation and Development Commission. In response to this law, the city of Yachats has prepared this plan.

The city's comprehensive plan is intended to not only address statewide planning goals, but to also take into account local land use planning needs and issues. The plan, once adopted, will serve as a guide to land use within and immediately adjacent to Yachats. It establishes policies and land use designations (maps) which will be implemented throughout the city's zoning and subdivision ordinances.

This statement provides principles which serve as a foundation for the City of Yachats Comprehensive Land Use plan, Zoning Ordinance and Inventory.

Land use policies procedures and applications shall complement the natural beauty of our location and its environment, which has led to Yachats' long standing reputation as "The Gem of the Oregon Coast."

Land use policies, procedures and applications shall acknowledge certain economic characteristics of the city, namely, that retirement and tourism are major industries. Non-polluting commercial, professional and home businesses constitute part of the economy also.

The construction and maintenance of public, commercial, professional and residential buildings, their siting, design materials and landscaping, within reasonable variation, shall enhance rather than detract from the quiet coastal ambiance of the city as noted above.

The powers granted by the city through its charter shall be guided constructively by these principles. These principles shall guide the deliberations, interpretations, and judgments of the council, the Commissions, city agents and employees. Language in the ordinance which delineates general governing responsibility in terms such as "public interest, health, morals, safety, comfort, convenience and welfare" shall be construed in the context of these principles.

B. Background

In January 1976 the City of Yachats Planning Commission began work on developing a comprehensive plan for consideration by the City Council. Statewide planning requirements were studied, a community survey was conducted and town meetings were held to determine what the comprehensive plan should address. Between June 1976 and March 1977 existing land use, natural and economic resources and public services and facilities were inventoried. Based on identified planning needs and the inventory information, the Planning Commission suggested three alternative plans. These plans were posted for review by the Citizens of Yachats, state and county representatives and the Yachats Planning Commission. As a result, the Yachats Planning Commission prepared its Phase IV - Proposed Plan, Revised as of November 17, 1977, and submitted it to the Yachats City Council on December 8, 1977. A minority report by four members of the Yachats Planning Commission and a citizen petition to

retain the 1972 zoning plans was also received on December 8, 1977. On December 15, 1977 the Yachats City Council considered the three documents and prepared its own plan for consideration by the public. After presentation of the City Council's proposed plan on January 25, 1978, many open public meetings were held to afford citizens the opportunity to provide information they believed to be pertinent to its many provisions. Many suggestions were made, all of which were given consideration by the city council. The most controversial provision of the plan was that dealing with the zoning of property. Because of this, the City Council sent an information request dated July 21, 1978 to all property owners. This request provided a brief explanation of the various property zones; provided information to each property owner as to how his property is currently zoned ; and provided the owner an opportunity to request a change if he was not satisfied with his current zone classification.

As a result of these years of hard work, the Yachats City Council adopted a Comprehensive Plan on October 19, 1978, and submitted it to the Land Conservation and Development commission for acknowledgment. After several months of correspondence and meetings with LCDC members and staff, LCDC granted the city a planning extension until April, 1980, to "complete work" on the plan. The City Council, again, scheduled and carried out a series of public hearings in order to bring the plan into compliance with the thirteen remaining goals. On March 24, 1980, the City Council held its final public hearing and adopted this plan.

A complete description of the process which the city followed in developing this comprehensive plan is provided in supporting document titled " The Planning Process - January 1976 - April, 1978". A supporting document titled "Phase II - Inventory Information" contains all the inventory data which was collected by the city. These comments will be available at the City Office and the library. Additionally, the minutes of all meetings related to this plan, the minority report, various citizen petitions, and information related to the property zoning request of July 21, 1978 are also available at the City Office.

II. Planning Objectives

In preparing and adopting a comprehensive land use plan, the city is trying to achieve the following objectives.

1. Preserve the livability of the Yachats area.
2. Maintain the quality of air, water and land resources.
3. Preserve the existing character of the area's natural, scenic and historic

resources.

4. Preserve open space.

5. Cooperate with appropriate government officials in the development of biological, aesthetic, recreational, and economic values and benefits of the Yachats Estuary, subject to the availability of local funds and the individual commitment of local citizens.

6. Cooperate with government officials in the protection of biological, aesthetic, recreational, and economic values and benefits of shorelands under public control, subject to the availability of local funds and local citizen involvement.

7. Reduce the hazards to human life and property and adverse effects upon water quality and fish and wildlife habitat resulting from the use of the shorelands.

8. Protect life and property from natural disasters and hazards.

9. Conserve energy.

10. Encourage the development of diverse recreation opportunities to meet needs which have been identified.

11. Conserve natural resources by encouraging orderly development of land.

12. Encourage cluster location of tax-supported facilities and services for the benefit of all.

13. Maintain or enhance the economic stability without diminishing the livability of the area.

14. Provide adequate and suitable areas for economic growth.

15. Provide adequate public facilities and services where feasible, economical, and where funds are assured.

16. Provide sufficient, suitable land in the urban area to meet existing and projected housing needs and allow for flexibility in housing type, location and density.

Adoption of the policy statements and plan maps included herein will help the City of Yachats

to reach the above objectives. This will be possible by using the policies and maps to guide future decisions pertaining to land use in the city.

III. Planning Policies

The following policies are based on inventory information collected by the Yachats Planning Commission. They address planning needs and issues which were identified in community questionnaires, town meetings, and work sessions. The value of the two questionnaires used for the November 17, 1977 Proposed Plan were challenged by a large percentage of the Yachats Planning commission members. They contended that signatures were not required on the first questionnaires, making it possible for them to be completed by persons not having the right to influence the plan. The second questionnaires were not accompanied with adequate information for citizens to offer full responsive input; and, all members of the Commission were not privileged to review and discuss the adequacy of the questionnaires before they were submitted to the public. Additionally, work sessions were conducted by the City Council to consider the minority report, various petitions and added Citizen input. Since the City Council felt the results of the first two questionnaires were inconclusive regarding the controversial zoning issue, the Council circulated its own questionnaire specifically directed toward zoning.

A. Protection of Natural Resources

The Yachats area as described in the inventory is rich in natural resources. Fish and wildlife habitats, water areas, historical and archaeological sites, and, in particular, open space and scenic views, all contribute to the high quality of the city's environment. These resources are Yachats' main assets in that they make it a beautiful place for people to live in and visit. In recognition of these natural resources, the following policies are proposed:

1. Significant marine habitats as identified on the Natural Resources Map and as discussed in the Inventory Data will be protected from proposed land uses which might modify their indigenous characteristics.
2. The city of Yachats shall assist the State and County in protecting the County Road 804 right-of-way and the prescriptive easements accepted by the Oregon Supreme Court as established by the Lincoln County Surveyor (Survey 11,905 12/18/87) from alterations which would prevent the establishment and maintenance of this segment of the Oregon Coast Hiking Trail within the right-of-

way.

3. The city will concur with all pertinent and legally authorized agencies, both federal and state, in mutual effort to retain the character of those natural qualities identified in the Natural Resources Map and Inventory Data.

4. In adopting land use designations or in undertaking land use actions or decisions, the city will maintain the quality of the resource areas as shown on the Natural Resources Map and Inventory data.

5. It is the city's policy to direct its growth so as not to encroach upon public or commercial forest lands. The forest type soils within the city's boundaries are largely suited only for low density use subject to strict review.

6. The city will undertake negotiations with Lincoln County for the designation of lands east of the City Limits and west of the ridge as open space.

7. The city considers the Little Log Church to be a significant historic resource and will limit conflicting uses by regulating demolition and exterior alterations.

8. The city will conduct a historic resource survey in cooperation with the State Historic Preservation Office during future periodic reviews as funding and resources become available. The city will amend the historic inventory information in its plan and complete the Goal 5 process for historic resources as necessary with the new information.

9. The city will limit conflicting uses on the Yachats Middens and other newly discovered archaeological resources through an archeological review applied to development proposed at the sites. The archeological review shall also apply to other archaeological resources which are uncovered during construction or excavation.

10. The city encourages preparation of inventories to determine the location and extent of native American villages and other archaeological resources within the urban growth boundary. The city will cooperate with the State Historic Preservation Office, the confederated Tribes of the Siletz and others during preparation of these inventories.

11. There is currently not enough information to determine the significance of the Goal 5 wetland discussed in the Water Areas section of the city's inventory. The city will complete the Goal 5 process for this wet land area on or before the next periodic review.

12. The City of Yachats opposes offshore oil and gas development due to potential conflicts with existing ocean fisheries, impacts on aesthetic and recreational values, and degradation of the marine environment. This includes leasing, exploration, and oil and gas extraction within the state territorial sea and federal waters.

13. The city will investigate creation of a design review process and will make appropriate recommendations prior to January 1, 1992. Issues to be addressed include building height limitations, solar access, height of fences and vegetation, signs, and open space requirements.

B. Protection of Estuarine Resources

The Yachats River is an estuary as defined by the Land Conservation and Development Commission (LCDC). It is considered to be a "minor" estuary and as such, it must be placed in a "conservation " or "natural" classification in accordance with an LCDC administrative rule. The classification establishes the level of development or alteration allowed within the estuary. Based on the information obtained through the inventory concerning the biological importance of the Yachats River, the degree of urban development with altered shoreline and the intensity of recreational use, the following policies shall guide the city's land use actions/decisions:

1. In recognition of the unique and abundant qualities of the Yachats River estuary, the city commits itself to work with Lincoln County and relevant special districts, the Division of State Lands, Corps of Engineers, and other State and Federal agencies in the implementation of the comprehensive estuarine management plan for Yachats River estuary within the Yachats urban growth boundary.
2. For purposes of resource management, the Yachats River shall be classified as a conservation estuary. All estuarine areas within the Yachats urban growth boundary shall be classified as a natural management unit, and shall be managed to preserve the natural habitats and wildlife therein.
3. The inventory information and the Natural Resources Map are sources of information regarding the aesthetic and natural values of the Yachats River estuary and the benefit derived therefrom to the City of Yachats. These natural habitat areas and aesthetic values shall be protected in all city decisions regarding land and/or water use actions in or affecting the estuary. (Said decisions regarding the actions shall include variances, conditional use permits and building permits in the estuarine shorelands, maintenance activities, requests to increase water withdrawals from the Yachats River or its tributaries, as well as

zoning ordinances or Comprehensive Plan amendments.)

4. Dredging and fill in estuarine areas shall be allowed only:

- A. If required for navigation or other water dependent uses that require an estuarine location or for a use specifically allowed in the applicable estuary zone;
- B. If a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
- C. If no feasible alternative upland locations exist; and
- D. If adverse impacts are minimized.

Other uses and activities which could alter the estuary shall be allowed if the requirements in (b), (c), and (d) are met.

5. Permitted uses in the natural estuary management unit are undeveloped low-intensity, water-dependent recreational uses; protection of habitat, nutrient, fish, wildlife and aesthetic resources; research and educational observation; navigation aids; vegetative shoreline stabilization; and passive restoration measures. Uses which are allowed where consistent with the resource capabilities of the area and the purposes of this management unit are active restoration of fish and wildlife habitat or water quality and estuarine enhancement; on-site maintenance and repair of existing structures or facilities; riprap for protection of uses existing as of October 7, 1997, unique natural resources, historical and archaeological values, and public facilities; temporary alternations; and pipelines, cables and utility crossings, including incidental dredging necessary for their installation, and bridge crossing support structures.

6. Snag and debris removal for the purpose of maintenance shall be allowed in the estuary. Revenues from the Port of Alsea shall be the preferred source of funds.

7. No specific projects involving intertidal dredge or fill are currently proposed. Therefore, no specific mitigation or dredge disposal sites have been identified. When a project is proposed that requires mitigation and/or dredge disposal, the city shall amend the Comprehensive Plan to identify and protect needed mitigation and/or dredge disposal sites.

8. Unless specifically exempted by the Director of the Division of State Lands under ORS 541.626 dredging or fill (including dredged material disposal) in intertidal or tidal marsh areas shall be mitigated by creation, restoration or enhancement of estuarine areas. The adequacy of a proposed mitigation project shall be determined by the Division of State Lands.

9. Where a use could potentially alter the estuarine ecosystem, the city shall require a clear presentation of the impacts of the proposed alteration. This will be addressed through application of the city's Estuary Use Standards.

C. Protection of Shoreland Resources

In accordance with state requirements, the city has identified its shoreland boundary, taking into account potential flood areas, riparian vegetation, areas of geologic hazards and areas of scenic values. All shorelands identified by the city are urban or urbanizable; the predominant uses being residential, recreational and mote/hotel. No areas particularly suitable exclusively for water-dependent, water-related uses exist due to the steep slopes, flood hazards and historical land use patterns of the shorelands. In order, then, to maintain the environmental, social and economical values of the shorelands, the city shall apply the following policies to its land use actions/ decisions:

1. Any area which might be found to be particularly suitable for a water-dependent, water-related use shall be the preferred use in the shorelands.
2. In the shorelands along the river, a 50-foot buffer strip shall be maintained. In the first 30 feet, the existing riparian vegetation shall not be removed; in the latter 20 feet, slight vegetative alteration will be allowed as long as the overstory is retained. Minor access paths leading to (but not parallel to) the river shall be allowed as long as the overstory is not disturbed.
3. On shorelands along the ocean, a 25 foot buffer strip from the top of the bank shall exist wherein existing stabilizing vegetation shall not be removed.
4. Residential and motel/hotel uses shall be allowed to the extent such proposed uses are shown to be compatible with the maintenance of geologic stability, water quality and habitat maintenance.
5. Land use management practices (such as setbacks and maintenance of riparian vegetation) and non-structural alternatives shall be preferred methods of shoreline stabilization. Structural stabilization methods (such as riprap and bulkheads) shall be allowed when necessary for the protection of existing land uses and resources, and when designed to minimize adverse water quality,

habitat and environmental impacts.

6. The City will review proposals for vacation or sale, exchange or transfer of public ownerships, easements or rights-of-way which provide access to or along the Yachats River or ocean. Existing public ownerships, rights-of-way and similar public easements in estuary and ocean shorelands which provide access to or along the estuary or ocean shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of existing developed shoreland areas, provided public access across the affected site is retained. (Amended 12-27-00 by Ord. #218)

7. The city of Yachats will develop and implement programs for increasing public access to the estuary and ocean by supporting development of the County Road 804 right-of-way and pursuing signing of existing access points. The City of Yachats will also support and encourage existing and future public access sites to be handicapped-accessible.

8. The City of Yachats will encourage the State Parks Department to pursue improvements to lighting, restroom facilities, and public access points within state parks in the City of Yachats.

9. The priorities for shoreline stabilization for erosion control area(from highest to lowest):

- a. Proper maintenance of existing riparian vegetation.
- b. Planting of riparian vegetation;
- c. Vegetated riprap;
- d. Non-vegetated riprap;
- e. Bulkhead or seawall.

Where riprap, bulkheads or seawalls are proposed as shoreline protective measures, evidence shall be provided that higher priority methods of erosion control will not work.

10. Structural shoreline stabilization shall be permitted only if:

- a. There is a demonstrated need to protect property or existing structures that are threatened by erosion;

- b. Impacts on adjacent property due to increased erosion and sedimentation are minimized;
- c. Visual impacts are minimized;
- d. Long-term or recurring costs to the public are avoided;
- e. Riparian vegetation is preserved as much as possible; and
- f. The proposed project will not restrict existing public access to publicly-owned lands or interfere with the normal public use of fishery, recreation, or water resources.

11. Structural shoreline stabilization in estuary zones shall be limited to riprap. In estuary natural management units, riprap shall be allowed only for protection of uses existing as of October 7, 1977, unique natural resources, historical and archaeological values and public facilities.

12. The city's review of beachfront protective structures shall be coordinated with the Department of Parks and Recreation and the Division of State Lands.

13. Permits for beachfront protective structures shall be issued only where development existed on January 1, 1977. For the purposes of this requirement "Development" means houses, commercial and industrial buildings, and vacant subdivision lots which are physically improved through construction of streets and provision of utilities to the lot and includes areas where an exception to the State Beaches and Dunes Goal has been approved. Refer to the Inventory for description of areas where development existed on January 1, 1977.

D. Conservation of Energy

Several policies within this plan indirectly address the conservation of energy such as urban growth and multi-family residential uses. Additionally, the following policy is proposed:

- 1. Future developments shall be encouraged to use energy efficient design, siting and construction.

E. Protection from Natural Hazards and Disasters

As described in the inventory, the major hazards existing in Yachats consist of steep slopes

(potential erosion and land slides) and flooding (ocean and river). The extent and location of the flood hazards areas are being identified through the Federal Flood Insurance Program. Steep slopes and unstable soils are well known. In order to prevent property damage, possible loss of life and increased public costs, the following policies are recommended:

1. Information and recommendations contained in Environmental Hazard Inventory (Coastal Lincoln County, Oregon by RNRK Associates - text and maps incorporated in Inventory Data, and the 1974 Howe-Arismendi Study) shall serve as the basis for future land use determinations in hazard areas.
2. Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural hazards without appropriate safeguards.
3. New construction or substantial improvements in identified riverine and ocean hazard flood areas shall have the lowest floor level elevated to or above the 100 year flood level.
4. Permanent development at urban density (one or more units per acre) will be prohibited within the 100-year flood level without adequate protection provisions.
5. Low density and open space uses that are least subject to loss of life or property damage such as open storage, forestry, agriculture and recreation shall be preferred uses in flood prone and steep-sloped areas.
6. The density of development shall be no greater than the slope can safely accommodate. The following standards shall be applied to all future development (subdivisions, commercial and public service structures and residential structures not previously covered through subdivision review):
 - a. On slopes of 0-12%. Development is allowed without special review.
 - b. On slopes of 13-29%. Development is subject to special review and conditions regarding density; vegetation removal; grading and excavation; season and duration of development activity; drainage and other factors considered necessary to minimize risk of hazard.
 - c. On slopes of 30% or more. Development is prohibited unless site analysis by a professional geologist and civil engineer finds that the site can support the proposed development without endangering life, property and environment or that safeguards which correct the

hazards condition can and will be provided.

7. Developers of property having a slope of greater than 12% or lying within a landslide area, or identified as a flood hazard, shall be required to post a 100% performance bond guaranteeing that specified conditions will be met and appropriate safeguards provided.
8. Developments on steep slopes adjacent to the Yachats River shall be planned so as to minimize any aggravation of the turbidity and seasonal low-flow situation.
9. The city will pursue adoption of an excavation and grading ordinance prior to its next periodic review. Issues to be addressed include drainage plan requirements for all development.
10. The city shall address concerns regarding forest activities which might adversely affect the city to the unit Forest Practices Officer in Toledo.

F. Providing Recreation Opportunities

Recreation in Yachats mostly involves fishing (including clams and smelt) and enjoying the beautiful natural surroundings. State parks are adequate although some further development is needed. Access to recreational areas also needs some improvement. The inventory identifies other needs such as a recreation center for the young and old. The following policies are intended to address recreation needs:

1. The city will encourage the state to maintain its parks and beach access areas for the benefit of residents and visitors. Change in park use or creation of new park facilities shall be reviewed by the city as specified in the Zoning and Land Use Ordinance.
2. The city will require state park sanitary facilities to be connected with the city sewer system.
3. Existing access points to the ocean beaches shall be maintained and marked so as to avoid undue intrusions onto surrounding property.
4. The Oregon Department of Transportation will be encouraged to widen and improve Highway 101 for use as hiking and biking trails.
5. The identification and development of open spaces in the city based on lands unsuitable for developments and existing parks shall be encouraged.

6. The development of recreation centers for the young people and for senior citizens will be encouraged.
7. The location of recreational opportunities shall be marked, as funds are available for that purpose to assist visitors to the city.
8. The State Fish and Wildlife Department will be encouraged to maintain sufficient stocks of fish in the Yachats River and its tributaries for recreational purposes.
9. The city supports the continued use of the former Yachats Elementary School site to provide for the recreational, educational, and open space needs of the city's citizens. The site, consisting of Tax Lots 4500 and 4600 (Map 14-12-27AD) and Tax Lots 13000 and 13100 (Map 14-12-27AD), will be placed in a Public Facilities Zone to protect it from conflicting uses.

G. Control of Urban Growth

In order to comply with the requirements of Land Conservation and Development Commission Goal 14, the following policies shall be followed:

1. Future urban development shall be contained within the Urban Growth Boundary.
2. Before additional lands are considered for annexation to the city or for inclusion in the Urban Growth Boundary, the capability and desire of the city to provide necessary public services to the area will be affirmatively established.
3. Annexation will require simultaneous Comprehensive Plan and Urban Growth Boundary Amendment to reflect the action taken.
4. Services will be extended within the Urban Growth Boundary in an orderly and economically efficient manner.
5. The area outside the city, but within the Urban Growth Boundary shall be managed in accordance with the Urban Growth Management Agreement established between the city and Lincoln County.
6. Annexations shall be governed by Oregon Revised Statutes, Chapter 222. Council decisions shall consider such factors as the city's capacity to provide services, avoidance of "leap-frogging" agreements, if any with Southwest Lincoln County Water District, and compatibility with the character of the area.

7. The city recognizes the Lincoln County Board of Commissioners' responsibility under Oregon Revised Statutes, Chapter 215, for all planning and zoning decisions in the unincorporated areas of the County. Similarly, the County recognizes the city's paramount interest in its urban growth area. Therefore, the city shall provide written and/or oral recommendations to the County on land use matters within its urban growth area. Compliance with the City Comprehensive Plan and ordinances shall be used as a basis for such recommendations. The city reserves the right to request specific information or to hold a public hearing in order to obtain desired facts and perspectives.

8. The city endorses and expects Lincoln County to abide by the policies contained in the Land Use Planning section of the Lincoln County Comprehensive Plan.

9. The city will participate with a county committee to address the urbanized area of the city.

H. Provide for Economic Growth

As described in the inventory, the city's potential for economic growth lies primarily with the travel/ recreation industry, the retirement industry and the handicraft and fine arts industry. Maintaining the city's advantage in these industries depends on protecting its recreation, natural and scenic resources. To this end, the following policies shall be followed:

1. Employment opportunities shall be compatible with existing and anticipated land uses.

2. Future economic development shall be consistent with zoning.

3. Future development and commercial activity shall be timed so as to insure an adequate water supply and a quality habitat in the Yachats River in compliance with all applicable State and Federal Standards.

4. Casino gambling shall not be allowed since it is incompatible with the character of the community.

5. The city recognizes that its future economic growth lies with the travel/ recreation, retirement and fine arts industries. Adequate residential and commercial land will be designated to provide for these industries.

6. No heavy industrial land needs have been identified or are anticipated.

However, the city recognizes the potential need for non-polluting light industrial uses, such as warehousing and storage, within the city's commercial zone.

I. Provide Adequate Public Services

Yachats realizes that the provision of basic public services in any urban area is the responsibility of municipal government. As the inventory data show, the water system is at or near capacity. The sewer system's ability to handle future growth will need to be monitored. In providing for these urban level services, safeguards must be take to insure the continued quality of the Yachats River estuary system. In order to provide services in an economic, orderly and environmentally sound manner, the city shall adhere to the following policies:

1. The city will not allow water or sewer hook-ups beyond the existing or planned capacity of those systems.
2. The city will not extend city services its city limits except as provided for in Policy 15 below. Requests for extensions of city services outside the city limits, but within the urban growth boundary shall only be granted when the said areas have annexed to the city.
3. Whenever feasible, utility services will continue to be installed in looped systems instead of one way, dead-end configurations.
4. Through the efforts of the Public Works Commission and an engineer, the city will continue to upgrade the water collection, filtration, storage, and distribution system.
5. Increased water withdrawals the Yachats River or its tributaries, or increased discharges into the Yachats River or its tributaries, shall be allowed only upon determination that the biological habitat, organisms therein and physical processes of the river and estuary will not be adversely affected.
6. In the planning for and provision of urban services, the city will comply with all applicable State and Federal laws and regulations.
7. Streets which are dedicated but not open, graveled streets and narrow paved streets shall be improved to city standards as funds become available.
8. Future developments shall provide safe, well-marked pedestrian ways which do not conflict with vehicular traffic.
9. Future developments shall provide adequate off-street parking.

10. Streets created by subdivisions or land partitions within the urban growth boundary shall be designed to tie into existing and anticipated road systems.

12. Extension of city services beyond the current city limits will not be made until recipients of the services bond with the city for 100% of the cost of providing the services.

12. The city, in all its land use actions/decisions, is committed to maintaining its water quality consistent with all applicable State and Federal requirements.

13. In addressing its water supply situation, the city shall coordinate its future planning efforts with appropriate state water quality plans applicable to the area. (i. e., DEQ "303e" river basin plan; "280" non-point source plan.)

14. Withdrawal of water from the Yachats River or its tributaries shall not aggravate the present turbidity and seasonal low-flow situation.

15. The city of Yachats shall not extend municipal sewer or water service outside of the urban growth boundary except in the following areas:

a. Areas where an exception to Goals 11 and 14 has been taken to allow an urban level of service to be extended beyond the urban growth boundary; or

b. Publicly-owned parks for which the following findings have been made:

i. There is no feasible alternative for servicing the public park considering water availability, soil suitability for subsurface sewage disposal, costs of a subsurface system, the long-term viability of a subsurface system to function successfully, or State or Federal environmental regulations.

ii. Provision of municipal sewer or water service will not impair the city's long-term ability to service will not serve any intervening lands except as provided for in pre-existing agreements;

iii. The proposed extension of municipal sewer or water service shall not serve any intervening lands except as

provided for in pre-existing agreements;

iv. Extension of municipal sewer or water service shall not be a basis for future determination of commitment of intervening rural lands; and

v. The extension is limited to the needs of the existing public park.

16. The city, in all its land use actions/decisions, will comply with all applicable State and Federal regulations relating to air, solid waste, hazardous waste and noise pollution.

17. The City of Yachats will cooperate with the Oregon Department of Transportation in the development and implementation of their Six-Year Highway Improvement Program for projects within the Yachats urban growth boundary.

J. Meeting Housing Needs

The inventory information has detailed the type, quantity and condition of existing housing. Also, demand for housing was identified from discussions with realtors and consideration of projected population growth. Based on this information, the following policies shall apply to all land use actions/decisions:

1. Sufficient vacant land shall be designated for residential uses to accommodate the projected increases in year-round and part-time populations and provide a choice of location, type and price.
2. Land use designations shall provide opportunities for the development of all types of housing.
3. In the event that, at any particular time, insufficient water supply exists to meet demand at that time, no building permits nor new hook-ups shall be authorized. In such a case, the city will study methods of relieving the supply problem.
4. Housing within the city and Urban Growth Boundary shall proceed at a rate commensurate with the city's ability to provide water and sewer service.
5. The city will encourage participation in available government and private loan or other programs in order to provide for the housing needs of all income levels.

K. Citizen Involvement and Land use Planning

In order to provide for adequate citizen involvement and to insure proper procedural steps in future land use undertakings, the following policies shall apply:

1. In order to provide for the continuity of citizen participation and of information that enables citizens to identify and comprehend the issues, the city shall follow the existing Citizen Involvement program.
2. At least every four to seven years, the city shall review its comprehensive plan, inventory information and applicable ordinances, in order to determine what revisions and/or additions, if any, are appropriate. Review shall be initiated by the City Planning Commission.
3. The comprehensive plan for the City of Yachats shall be filed in the City Office and shall be available at the City Office and the City Library.

L. Beaches and Dunes

1. Yachats and State and Federal agencies shall prohibit residential developments and commercial and industrial buildings on beaches.
2. Before a building permit is issued for construction involving the removal of vegetation in areas of older stabilized dunes, the Planning Commission may require that an erosion prevention plan be submitted which provides for temporary and permanent sand stabilization and maintenance of new and existing vegetation. The plan shall return the area to its original level of stability or further increase the area's stability.
3. Removal of vegetation during construction in any older stabilized dune shall be kept to a minimum required for building placement or other valid purpose. Removal of vegetation should not occur more than 30 days prior to construction. Permanent revegetation shall be started on the site as soon as practical after construction.
4. The developer or party initiating action in an older stabilized dune shall be responsible for preventing adverse impacts from erosion on adjacent property, city streets, or utilities. Where necessary, the city may cause such impacts to be corrected at the expense of the developer.

M. Village Circulation Plan & Implementation Strategy

Overview

A recommended circulation plan was developed for the City of Yachats by Kampe Associates and Bridgett Beattie McCarthy of Portland, Oregon, under a special funding grant by ODOT/ DLCD Transportation and Growth Management Program. Their research and their recommendations are incorporated in a document entitled "Yachats Village Circulation Plan" 1996-97, on file with the City. The document's "Recommended Plan & Implementation Strategy"(pages 16-24) was discussed in public hearings held by the Planning Commission and by the City Council. Following deliberation upon the recommendation, and incorporation of revisions, a Village Circulation Plan was adopted by the Council on July 31, 1997. The Council Plan is the definitive text.

Circulation Plan & Components

The plan is based upon consultant discussions with community members, on site research, meetings with City staff, discussions at several public meetings. It is also based upon input gathered by the Planning Commission and the City Council from persons who submitted testimony at its public hearings.

Six areas express the scope of the plan in terms of objectives, along with short-term and long-term implementation strategies and action steps. The Plan and its Inventory is subject to review and modification. To implement specific projects will require specific Commission/ Council action.

The six components of the plan are:

- North/South Connection
- Integrated Loop System
- Highway 101
- The Commons
- Parking
- Aesthetics

North/South Connection

The objective is to provide a continuous pathway from the north to the south of Yachats.

Yachats has a special and unique opportunity to have a pathway following near the coastal

edge for the entire length of the community, unlike any other community on the Oregon coast. This is a wonderful amenity for the enjoyment of residents and visitors.

To provide a viable pedestrian route from north to south Yachats will require negotiations for easements in the area of the Adobe Resort/Motel through to Marine Drive and from the Landmark restaurant south to Bayview Terrace as shown on the plan map and described in individual project format on the Circulation Plan matrix.

Consistent with the Recreation & Natural Resources map of the current Comprehensive Plan, and its predecessors, this Circulation Plan locates a trail on Marine and Ocean View Drive. During the planning process, an alignment of a trail along the edge of the bluff was suggested. For reasons of practicality and feasibility, the City has chosen to locate a hiking/biking trail along Marine and Ocean View Drive

The north/south loop placement is available to provide immediate public access from the State Smelt Sands Park 804 Trail through to Ocean View Drive.

The southern pathway connection from the Landmark restaurant (intersection of Highway 101 and Ocean View Drive) will provide a safe alternate route for pedestrians to discourage walking on the "Highway 101 Loop". The plan anticipates that two easements (one with each of the owners) will have to be negotiated with the property owners immediately south of the Landmark and Lion's Club Thrift Store properties.

Integrated Loop System

The objective is to provide a series of interconnected pathway, loops, and overlooks that link the trail system and provide access to important destinations throughout Yachats.

The Plan calls for four trail or loop systems: the Northwest Loop, the Northeastern Loop, the River Loop, and the South Yachats Trail.

The Northwest Loop connects several destination points such as the Overleaf Motel, Smelt Sands State Park, the Adobe Resort/Motel, Ocean overlooks off of Ocean View Drive, Yachats State Park, the Landmark Restaurant, the Commercial Core and Town Center businesses, and The Commons.

The Northeastern Loop links the commercial core with residential and motels properties in this area. Pedestrian pathways from Prospect Avenue through to Third Street, King Street, Radar Road, and Hanley Drive are planned. Another is the connection between Loma Avenue and Third Street. A key automobile, bike, and pedestrian connection will be the road between

Hanley Drive and the northern most portion of Highway 101. This development shall be located with respect to natural topography and private ownership negotiations.

The River Loop links both the downtown area and southern Yachats with the Yachats River. The plan calls for a pathway that provides public access from the Highway 101/Ocean View Drive intersection south through the new access provided to Bayview Terrace, under the bridge and along the Yachats River, across and up Yachats River Road.

Finally, the south Yachats Trail will provide a pathway which is separated from automobiles (as shown in the street sections) providing a link from north Yachats to the southern most border of town via Yachats Ocean Road. An important connection to the southeast residential and motel area to this trail is Mitchell Lane which should be marked and maintained as part of the trail system.

Each of these loop and trail components has several strategies and projects that will be necessary to successfully implement and provide a cohesive system. These projects are listed specifically on the Village Circulation Plan Matrix.

Highway 101 Corridor

The objective is to make Highway 101 safer and more aesthetic for pedestrians, bicyclists, and automobiles.

The plan provides for "entry statements" in the north and south areas of town. These statements will provide through art, landscaping, or signage (or a combination) an immediate, physical notice to individuals that they are entering a "place". The intent will be to slow traffic down and enhance and personalize the image of the community.

These statements will be supported by landscaping, bike lanes, and pedestrian pathways to be created along the entire length of Highway 101 as shown on the enclosed Street Sections. Another method to enhance the character, as well as slow down traffic, is to provide a secondary area along the highway between 7th Street and the Prospect Avenue\Highway 101 \Ocean View Drive intersection that identifies a "downtown" area. In this area the plan provides that the pathways veer off of the highway and move along the business frontages as much as possible. a distinctive paving pattern could be added to this area in conjunction with the landscaping/pathway improvements shown for the remainder of Highway 101. The plan calls for on-street parallel and diagonal parking for this area on the east side. Specific surveys will need to be conducted to provide a base map for business access as well as the appropriate placement of parking spaces in this area.

Crosswalks to allow safer pedestrian access across Highway 101 are needed at several locations as shown on the Circulation Plan Map. The plan calls for crosswalks at the north and

south entries, accompanied by rumble bumps, and crosswalks at Ocean View Drive and 7th Street with "on-demand" stop lights.

Parking

The objective is to designate parking areas appropriate for the community.

the Planning Commission will continue to work on a recommended design for parking, including at the Commons, that considers both utility and the village character of our community.

The Commons

The objective is to coordinate the Village Circulation Plan with the future uses of the Commons and the Master Plan, as developed by the Parks and Commons Commission

We envision the Commons as a central location to begin using the trail system for visitors. The plan calls for Circulation Maps to be placed at key locations at The Commons and that trails/pathways lead from the proposed parking lots to the overall trail system..

Aesthetics

The objective is to enhance the character of the Circulation and Trail System.

The Planning Commission will be guided by the consultant's recommendations.

Design Guidelines

Broad Objective: Create continuity and recognition of the Circulation/Trail System and create design guidelines for infrastructure elements to be used throughout the circulation/trail system... and perhaps elsewhere as well.

Methods:

The Planning Commission shall consider ways to implement this objective through appropriate signage, lighting, and design ordinances.

Art & Landscaping On Highway 101

Specific Objective: To calm traffic and create destination awareness along Highway 101 as it passes through Yachats. Incorporate art and/or interesting features representing the essence of Yachats along Highway 101 at the north and south entries to the City of Yachats into the landscaping on either side of the highway from one end of the city to the other.

Methods

The City Planner shall work with Oregon Department of Transportation and the Public Works and Streets Commission in recommending actions that accord with this objective.

Specific Objectives: To identify the Circulation/Trail System and all the things it connects including The Oregon Coast Trail and to celebrate a special identity for Yachats. Create a sign/symbol system specifically for the city that would identify the "Yachats in Yachats": Routes, points of interest, natural features, destinations ,etal.

Methods

The City Planner shall work with Oregon Department of Transportation and the Public Works and Streets Commission in recommending actions that accord with this objective.

Public Facilities

Specific Objective: To have a central location where visitors could come for information and paths and trails intersect.

Methods

The Planner and the Commons Director shall assist the Planning Commission and the Parks and Commons Commission in recommending ways to achieve that objective, consistent with other objectives for this public facility.

As an amendment, this Village Circulation Plan will be referenced as appropriate in the Comprehensive Plan. In its Periodic Review the Planning Commission will propose the needed correlations of language.

Insert map, matrix, and street drawings here.

(Following are exhibits A, B, and C or the Village Circulation Plan)

IV. Plan Maps

The attached maps depict the preceding policies through land use designations identifications. The maps will be used along with the policies to guide decisions pertaining to land use. The maps establish a long-range land use pattern for the City of Yachats. The maps were prepared after considering many citizen requests, petitions, and questionnaires It represents the City Council's best attempt to accommodate all types of citizen and landowner's input.

V. Definitions

Coastal Shorelands. Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

Development. The result of bringing about growth; of constructing or altering a structure, conducting a mining operation, making a physical change in the use or appearance of land, dividing land into parcels; or of creating or terminating rights of access.

Estuary. A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by fresh water derived from the land. The estuary includes; (a) estuarine waters (b) tidelands (c) tidal marshes and (d) submerged lands. Estuaries extend upstream to head of tide water.

1. Natural Estuary. Estuaries lacking maintained jetties or channels without adjacent urban areas which have altered shorelines (shorelines with bulkheads, riprap or other physical structures). Shorelands around natural estuaries are generally used for agriculture, forest,

recreation and other rural uses. They are usually little developed for residential, commercial or industrial uses.

2. Conservation Estuary. Estuaries lacking maintained jetties or channels but which are within or adjacent to urban areas which have altered shorelines adjacent to the estuary.

Floodway. The normal stream channel and that adjoining area of the natural floodplain needed to convey the water of a regional (100 year) flood while causing less than one foot increase in upstream flood elevations.

Low Density Residential. Residential units at a concentration of less than one unit per two acres.

Management Unit. A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected or enhanced and others are discouraged restricted or prohibited.

Natural Hazards. Natural events are known to result in death or endanger the work of man. These can include river and ocean flooding, weak foundation soils, landslides, erosion, etc....

Public Facilities & Services. Projects, activities and facilities which city determines to be necessary for the public health, safety and welfare. These can include water and sewer service, streets, storm drains, police protection, library services, etc....

Urban Growth Area. That area between the city limits and the Urban Growth Boundary.

Urban Growth Boundary. The geographical limits within which urban growth will be contained.

[City of Yachats](#)

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COMPREHENSIVE LAND USE PLANNING

CITY OF YACHATS

Last Updated 1990

Phase II - Inventory Information

INTRODUCTION

The following information, which was collected for the most part by members of the City of Yachats Planning Commission and Committee for Citizen Involvement, describes the physical, biological, social and economic resources of the city and its immediate planning area. This information is available at the City Offices.

The inventory data has been used in the development of the city's comprehensive plan.

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◆ [POPULATION CHARACTERISTICS](#)

◆ [EXISTING LAND USE](#)

◆ [NATURAL RESOURCES](#)

◆ [ESTUARINE RESOURCES](#)

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THE GENERAL SETTING

The City of Yachats was incorporated in 1966. The city limits encompass approximately two square miles. Yachats is located on the central Oregon coast in Lincoln County approximately 23 miles south of Newport, the County seat, 86 miles northwest of Eugene and 70 miles southwest of Corvallis. The city is situated at the mouth of the Yachats River immediately to the north of Cape Perpetua.

The climate is moist, marine and temperature with precipitation ranging between 80 to 105 inches annually. Rainfall occurs predominantly between October and March. The average minimum temperature for January is 30 to 40 degrees and the average July minimum is 50 to 60 degrees. The summer winds are from the northwest and winter winds from the southwest. Average wind velocities range from 15 to 25 miles per hour, but winter gusts are occasionally over 100 miles per hour.

The woody vegetation in and adjacent to the city consists mainly of conifers. Beach pine (*Pinus contorta*), Sitka spruce (*Picea sitchensis*), Douglas fir (*Pseudotsuga menziesii*), Western red cedar (*Thuja plicata*) and Western hemlock (*Tsuga heterophylla*) are most common. Also alder (*alnus rubra*) is quite abundant.

The geologic composition of the Yachats area consists of basalt, marine terrace deposits, alluvial bottom land deposits and some siltstone. Basalt underlays most of the area except for the northern portion which is underlain by basaltic sandstone and gravelly sandstone. Much of the low area along Highway 101 is overlaid by thin marine terrace deposits, soil composed of sand, gravel, clay, silt and peat. Adjacent to the Yachats River are alluvial deposits composed primarily of silt, sand and gravel.

Soils in the area are primarily of three series: Hembre silt loams, Quillayute silt loams and Gleneden silt loams. The Hembre series within the city is found on slopes of greater than 30%. The Quillayute series occurs on lesser slopes of up to 12% adjacent to Highway 101. The Gleneden series lies between the ocean and the Highway. The location and characteristics of these soils as well as their limitations in terms of land use planning are described in the study titled "Yachats 1974".

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POPULATION CHARACTERISTICS

In 1970, the U.S Census counted 441 year-round residents in the City of Yachats. Since 1970, the Center for Population Research at Portland State University has made the following estimates of the resident population:

U.S. Census	Center for Population Research						
<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1988</u>
441	450	460	465	465	460	475	620

The age, race and sex characteristics of the 1970 population are shown below. Yachats has been and it appears will continue to be a community of retired persons. For the most part, households are made up of older, married couples. When one mate dies, more and more the remaining member of the household elects to stay in the home living alone. Occasionally, a retired couple or person is forced to leave the area because of health care needs, but this seems to be the only reason for leaving. The Community Survey (Appendix) found that the great majority of the respondents plan to remain in the immediate area indefinitely.

1970 Census Data on Population (Yachats)

		<u>Number</u>	<u>% of Total</u>

POPULATION CHARACTERISTICS

By Sex:	Male	211	47.8
	Female	230	52.1
By Race	White	433	98.2
	Black	5	1.1
	All Other	3	.7
By Age	0-5	19	4.3
	6-17	65	14.7
	18-24	18	4.1
	25-44	60	13.6
	45-64	119	27.0
	65 +	160	36.3

Median Age -57.8

Lincoln county as a whole contains the largest concentration of retired persons among all Oregon Counties. The median age in the county in 1970 was 38. The higher median age for Yachats indicated a higher concentration of retirement age residents in Yachats.

Making up a smaller segment of the year-round city population are the operators of local businesses and their families. This part of the population should increase with growth in the tourist/recreation and service industries.

In the summer, the population increases measurably as people occupy their vacation homes. It was estimated in 1970 that as many as 270 people live in the city during the summer.

"The permanent and seasonal population as well as the peak summer tourist population in Yachats are expected to increase over the next twenty years. The following table shows three sets of population projections for the city. This range of projections allows the city to estimate possible demands for services and buildable land with the understanding that the actual population increase may vary somewhat."

"It is important to note that all three projections show an increase in population. An increase is also indicated by the Central Lincoln P.U.D and Pioneer Telephone customer service projections (see appendix). Therefore, there is a need for the city to plan for growth."

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EXISTING LAND USE

The inventory map shows the generalized land uses in the Yachats planning area. These uses influence the pattern of future development and land use in and adjacent to Yachats. The predominant use of land within the planning area is residential. The great majority of these residential uses are single unit structures. Most of the residential development is located within the city and north of the city limits.

Commercial development is concentrated on Highway 101 near the center of the city. Commercial uses also are scattered along the Highway to the north. With the exception of two motels, no commercial uses exist south or east of the central business area.

There are no industrial activities within the planning area.

Public uses consist of parks, school, churches, service clubs, fire hall, city water and sewer operations, post office and other similar public uses identified on the map.

Major natural resource related land uses in the planning area consist mainly of forest lands. The Siuslaw National Forest and several large corporate ownerships exist to the east and southeast. These also are identified on the map.

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NATURAL RESOURCES

The Yachats planning area is rich in natural resources. The forested hills, the cape, the river, the rocky shoreline and the ocean provide the beautiful setting which causes people to refer to Yachats as the "Gem of the Oregon Coast." These areas not only provide scenic beauty and a sense of openness, but also serve as habitat for a number of fish and wildlife species. These and other natural resources are described below and on the map.

Fish and wildlife

The four major habitats in the area include the forested uplands, the ocean, the estuary and the shorelands. Perhaps the most significant habitats within these general habitat areas are the surf smelt spawning sands, the rocky intertidal areas and the estuarine migration routes of anadromous fish.

Surf smelt spawn in small patches of coarse sand located intermittently along the rocky coastline of Yachats. These sandy patches are necessary for the survival of the surf smelt species in the Yachats area. Surf smelt are an important fish resource for the community. Their excellent flavor makes them a valued food source. People from all over the State come to Yachats and dip for fish during the spawning season. Local people provide part of their catch to the popular "Yachats Smelt Fry" which draws hundreds of tourists each year.

The rocky intertidal habitat in the Yachats area is very rich and productive. Mussels, starfish, snails and green sea anemones are particularly abundant. Also, there are sponge colonies of varied colors, barnacle colonies, intertidal crabs, such as the purple shore crab and porcelain crab, leather chitons and colonies of "featherduster" tube worms. The tube worms are normally sub-tidal, but occur in intertidal areas around Yachats.

The rocky intertidal habitat provides biological, aesthetic and recreational values. Mussels from the area are being studied as part of a State toxicity investigation. A pilot project on the use of photography in measuring changes in habitat is being conducted in the area by the Fish

and Wildlife Commission. The presence of these strange and beautiful rocky intertidal species helps to draw tourists to Yachats. Also, one or two commercial collectors obtain species from the Yachats area.

The Yachats Estuary serves as habitat for a number of fish and wildlife species. Of particular note are the anadromous fish which migrate up the river to spawn. These include Chinook Salmon, Coho Salmon, Steelhead and Cutthroat Trout.

Steelhead were planted in the Yachats River by the Oregon Game Commission in 1968 and 1969, when 5,000 and 3,100 were released respectively. Cutthroat trout were first released in the Yachats in 1970 and have been released each year since except in 1974. During this period, the number of Cutthroat released has varied between 1,000 and 2,035 fish per year.* The following tables show estimated catch based on tag return data.

YACHATS RIVER

Oregon Salmon and Steelhead Catch Data 1966-1986

	<u>1966</u>	<u>67</u>	<u>68</u>	<u>69</u>	<u>70</u>	<u>71</u>	<u>72</u>	<u>73</u>	<u>74</u>	<u>75</u>	
Steelhead	349	355	313	220	190	133	175	173	43	167	
Salmon	223	302	313	120	84	66	45	55	29	92	
	<u>1976</u>	<u>77</u>	<u>78</u>	<u>79</u>	<u>80</u>	<u>81</u>	<u>82</u>	<u>83</u>	<u>84</u>	<u>85</u>	<u>86</u>
Steelhead	43	120	30	138	107	70	88	221	225	49	137
Salmon	96	61	54	9	74	69	62	44	207	134	80

Source - Oregon Department of Fish and Wildlife - Fish Division, October, 1976 and April, 1989, estimated total catch from salmon/steelhead tags.

Other species that use the estuary for habitat include Great Blue Herons, Merganzers, Mallards, Kingfishers and other waterfowl and birds. A Bald Eagle has been sighted in the area. Mink and beaver use the river and crayfish can be found there, too.

The estuarine habitat is valuable to the community in that it a primary recreation resource both for fishermen and the more passive observers of the diverse species of wildlife that live there. Evidence of this recreation value is the estimated 4400 angler days and \$81,400.00 expended in the sport harvest of salmon, Steelhead and Cutthroat form the

estuary in 1971

The various species of fish and wildlife that are known to exist in the Yachats area include but are certainly not limited to the following:

<u>Ocean</u>	<u>Shore/Near shores</u>	<u>Estuary/ River</u>
Grey Whales	Barnacles	Coho Salmon
Sea Lions	Mussels	Chinook Salmon
Harbor Seals	Snails	Steelhead
	Tube Worms	Cutthroat Trout
<u>Uplands</u>	Sea Anemone	Crayfish
Deer	Razor Clams	Mergansers
Elk	Surf Smelt	Mallards
Black Bear	Black Rockfish	Great Blue Herons
Raccoon	Greenlings	
Mountain Beaver	Surf Perch	
Weasel	Sanderlings	
	Gulls	
	<u>Shore/Near shores</u>	
	Oysters catchers	
	Scoters	

	Pigeon Gillamonts	
	Swallows	
	Cormorants	

Water Areas

A study of potential hatchery sites conducted in 1970, indicates that the Yachats River has relatively good water quality. The study finds that based on water quality (turbidity), amount of flow and temperature that the River has a high potential for a hatchery site. In fact, the site area which lies approximately three miles up the river is considered the second best potential site on the Oregon coast. However, the River does have certain water quality limitations as discussed below and on page 24. (Note: original document - this page number is not correct with the changes made in font and format - 6-98)

The Yachats River has been designated as a wild fish management stream (ODFW Coho Plan, 1985; Statewide Steelhead Plan, 1986).

Flow and temperature measurements taken at River Mile 5 in 1971 are as follows:

<u>Date</u>	<u>Water Temp.</u>	<u>Air temp</u>	<u>Flow (CFS)</u>	<u>Minimum/optium Fish Flow (CFS)</u>
Dec 70	45	----	350	63/132
April 71	48	53	280	63/132
May 71	48	49	171	42/63
June 71	56	65	77	18/42
July 71	53	54	59	18/42
Aug 71	61	--	38	18/42
Sept 71	--	--	19	18/42

With the exception of the September and August flows, these flows exceed the

recommended minimum and optimum for fish life. However, it is estimated that if all existing water rights on the Yachats were exercised to their legal maximum, it would not be possible to maintain established minimum flows five out of ten years during the time of the year that flows are lowest (September). This situation places the Yachats River in the extreme water-availability risk category established by the State Water Resources Department. More specifically, during the period August through November, the average monthly flow (based on years of low runoff) is not sufficient to satisfy all legal claims for water and the established minimum flow for aquatic life.

It is apparent that the quality of the River for aquatic life can be maintained throughout the year only if all legal rights are not exercised or the flow is augmented. This is significant to the city because its present water source is Reedy Creek, which flows into the Yachats River.

In addition to the Yachats River, there are four creeks within the planning area. These are the Starr Creek, north of the city limits; Agency Creek, within the city limits; Salmon Creek, which empties into the Yachats River east of the city; and, North Cape Creek, which is on the southern edge of the planning area. It is thought that Starr Creek may experience some fish runs of Cutthroat Trout, Coho Salmon and Steelhead. All of these creeks except Agency Creek, are potential water sources for the city. Starr Creek presently serves as a water source for the Southwest Lincoln County Water District.

Most of the wetlands in the city are estuarine and are covered in the estuarine resources portion of the plan. However, the non-estuarine wetland area has been identified, which is described below:

Yachats Elementary School Wetland -This wetland is located on tax lots 4600 (Map 14-12-27DA) and 13100 (Map 14-12-27AD) west of the former Yachats Elementary School and playground.

There is not sufficient information available to determine if this wetland area is significant. This wetland qualifies as a "1b" resource under the Land Conservation and Development Commission's administrative rule for Goal 5 (OAR T6601600(5)(b)). When adequate information is available to determine the significance of this wetland, the city will complete the Goal 5 process by identifying conflicting uses, and developing a program to achieve Goal T5.

Historical and Archaeological

When the first Europeans arrived on the Oregon coast, they found the Alsea Indians located at several sites around the Alsea River. The southernmost village, Ya-qai-yak, was

situated where the City of Yachats is today. Between 1780 and 1910, the Alsea population decreased from over 1,000 individuals to 29. By 1930, only 9 Alsea remained. Diseases, displacement by the Euro-Americans and increased pressure on limited natural resources were responsible for the rapid decline.

The Alsea were dependent on the fish and wildlife found in inter-tidal zones, the estuary, the river and the upland meadows. The river systems supplied these people with their primary food resource, salmon. Smelt, perch, and other near shore species were also caught. Other animals, such as deer, elk, beaver, seals, sea lions and various waterfowl were hunted.

Evidence of the existence of these people in the Yachats area are the middens (refuse heaps, shell mounds) located at the site of the Adobe Motel and in the Yachats Road State Park (see inventory map). The Yachats Midden is one of two archaeological sites existing in Lincoln County and is considered to be of County interest.

The reservation system was established in 1856 and the Alsea were placed under the jurisdiction of the Alsea sub-agency. The people were concentrated in several villages and encouraged to become agriculturalists. The largest of these villages was located at Yachats near the present day cemetery. This site of Alsea Indian Sub-Agency is considered to be of historical importance to the State as well as to the County and local area.

In 1875, the remaining Alsea Indians were moved to the Siletz or Grande Ronde reservations and the sub-agency was opened for settlement.

In addition to the Yachats Midden and the Alsea Indian Sub-Agency, there are two sites within Yachats which have local historical significance. These are the Little Log Church at the corner of Third and Pontiac Streets, which was built in 1927 and the first hotel (now converted to residence) at the corner of River Road and Loma Avenue.

South of the city and the planning area lies Cape Perpetua, which has historical significance in that it was sighted and named by Captain Cook on March 7, 1778.

Mineral Resources

Within the planning area north of Yachats River Road, there is a rock quarry that has material that can be used for crushed rock. However, there is only a small quantity of the rock remaining and it is of poor quality. The only other mineral resource known to exist in the area is agates along the ocean shore.

Scenic Views and sites

The scenic environment of Yachats is probably its most valuable natural resource. It is no doubt one of the major reasons that people come to Yachats to visit and live. To the west, one sees the infinite Pacific Ocean and on closer look, the driftwood, a rocky coastline, crashing surf and breaking waves. To the south, stands the rocky, forested headland. To the southeast and east, one sees more tree-covered mountainous terrain. Near the center of the city one finds the mouth of the Yachats River and the open, sandy tidelands. Only a short distance to the east the River quiet and secluded within tree-lined banks. The river is noted for its aesthetic quality. The County Road # 804 right-of-way and prescriptive easements, as identified on Lincoln County Survey 11,905 (12/18/87), provide excellent ocean viewing opportunity along the bluff. Lincoln County has transferred jurisdiction and responsibility for the County Road #804 right-of-way and prescriptive easements to the State Parks and Recreation Department. Conflicting uses with the right-of-way and prescriptive easements are limited by the jurisdiction of the State Parks and Recreation Department, and by policies adopted by the city.

Potential and Approved Oregon Recreation Trails

The Oregon State Parks and Recreation Department is in the process of developing a statewide system of recreation trails, including hiking, horse and bicycle paths. Recreation trails provide an avenue for a variety of recreational activities and interests. They also generally provide access to scenic resources and open spaces which might be damaged or inaccessible by other modes of transportation. Recreation trails provide alternative transportation routes for those interested in getting away from automobiles and the limitations they impose.

In 1971, the Recreation Trails Act (ORS 340.950 to 390.989 and 390.990 subsection (4)) established the basis for a state trails system for hiking, bicycling and horseback riding and created the Recreation Trails Advisory Council.

The Oregon Department of Transportation has proposed a specific route for one trail which passes through the city of Yachats, the Oregon Coast Hiking Trail.

This trail is proposed border-to-border hiking trail that would mainly follow Oregon beaches, with segments designated to skirt sections of the coast where foot travel along the shoreline is not possible or safe. The northern portions of the trail have been constructed in Clatsop and Tillamook Counties, and within three state parks further south, and have been officially adopted by the DOT. The remaining trail locations, including those in Lincoln County, are still tentative, but have been approved in principle by the State Recreation Trails Advisory Council. Official acceptance by the DOT will occur after construction. The acquisition of rights-of-way and construction and signing is proceeding

from north to south along the coast, so work should begin soon in Lincoln County.

All portions of this trail route as proposed by the State Parks and Recreation Department within the Yachats urban growth boundary would be on public lands, public easements or public rights-of-way.

The proposed trail route through Yachats is shown on the Recreation Trails Inventory Map.

The proposed trail route north of Smelt Sands Beach State Park is to be located in the right-of-way of County Road #804. The existence of this public right-of-way has been established after extensive litigation and a final ruling by the Oregon Supreme Court. This right-of-way is currently unimproved, but informal trails have been established over most portions of it by many years of local pedestrian use.

The status of County Road #804 was under litigation since May of 1979, when a group of affected property owners filed suit in the Lincoln County Circuit Court to determine the legal status of County Road #804 (Rendler et al. v. Lincoln County, TC No. 41260).

The Lincoln County Circuit Court issued a final decree on Rendler et al. On May 16, 1984. The Circuit Court determined that County Road #804 was legally established in 1890, and had not been vacated in the area subject to the court case. The Circuit Court also identified perspective easements across the plaintiff's property in the vicinity of the County Road #804 right-of-way.

Rendler et al. appealed the Lincoln County Circuit Court decision to the Court Appeals, and subsequently to the Supreme Court. The issue on appeal was the standing of the Committee to Save Yachats 804 Trail as an Intervenor in the case. Both the Court of Appeals (A32003 November 14, 1985) and the Supreme Court (S32431, November 12, 1986) upheld the standing of the Committee to Save Yachats 804 Trail as and Intervenor.

After the above court rulings, the Lincoln County surveyor determined the location of the County Road # 804 right-of-way and the prescriptive easements described in the May 16, 1984 Circuit Court decree (filed Survey 11,905, 12/18/87). Lincoln County petitioned the Lincoln County Circuit Court to amend its May 16, 1984 decree to accept Survey 11,905 as the legal location of the County Road #804 right-of-way and prescriptive easements. The County's petition was approved by the Circuit Court on September 19, 1988. An amended Circuit Court decree was signed on October 18, 1988.

In 1990, Lincoln County transferred jurisdiction and responsibility for the County Road #804 right-of-way and prescriptive easements to the State Parks and Recreation Department.

The location of the County Road #804 right-of-way and prescriptive easements has been established by the Lincoln County Surveyor (filed Survey 11,905, 12/18/87). This survey, a copy of which is on file at Yachats City Hall, is considered by the city to be the best available information regarding the location of the proposed Oregon Coast Hiking Trail north of Smelt Sands Beach State Park, and is hereby incorporated into this inventory by reference.

The Oregon Coast Bicycle Route also passes through Yachats along Highway 101. The location of the bicycle route is identified on the Recreation Trails Inventory Map.

Open Space

The Yachats planning area is rich in open space. As stated above, the ocean, rocky coastline, headlands, forested hills and river provide an open, attractive environment, which is likely to remain open indefinitely. The forested hills southeast and east of Yachats are owned by the U.S. Government and large timber companies who are expected to use the land for growing and harvesting trees. The landslide and erosion hazards associated with the steep terrain would probably prohibit other types of use. The 172 acres of tidelands at the mouth of the Yachats River and rocky coastline to the north and south of the River are owned by the State and will remain open as parks. Within the city there are 4.85 acres of school land and 3.86 additional acres of State park which serve as open space.

The city will limit development which could conflict with the open space resources at the school site by application of a Public Facilities zone. The County Road #804 right-of-way and prescriptive easements as identified in Lincoln County Survey 11,905 (12/18/87), are an important open space resource. Protection of the right-of-way and easements from conflicting uses is addressed in the potential and Approved Oregon Recreational Trails section of the plan. (Adopted by Ordinance 125)

The ridge which rises to the east and partially within the City of Yachats is of Forest Site Class soil. However, its geographical location precludes effective forestry practices. The continual and harsh winds off the Pacific Ocean have a dwarfing and deforming effect on the trees which makes them unmarketable. The vegetation on this ridge has great value for slop stabilization, but is not valuable as marketable timber.

Conflicting Uses

The fish and wildlife habitat areas (smelt spawning sands, rocky intertidal areas and anadromous fish migration routes) are protected by Comprehensive Plan policies which require setbacks from the ocean bluff and river banks, prohibit dredging or filling, and

establish only natural or conservation management units within the estuary. Sections A, B, and C of the plan document set forth these specific protective policies. These policies have been reviewed by state and federal resource agencies and have been judged to provide adequate protection of these resources.

The locations of historical and archaeological resources within the planning area are mapped. The only archaeological resource within the planning area are three middens. All sites are mapped. Two middens are located in areas owned by the State Parks and Recreation Department. These middens have been heavily excavated and altered over the years. The areas are posted so as to provide the public with information explaining the origin of the midden areas. The city does not want to see further degradation of the middens and will apply an archaeological review to development proposed at the sites. The existence of informational signs, the requirement for setbacks from the ocean bluffs, the archaeological review, and the location of portions of the middens in the public domain will provide for the preservation of these areas for public viewing and enjoyment.

A third midden was discovered in 1989 on the east side of Highway 101 in T14S, R12W, Section 27. This midden appears to contain the remains of a semi-permanent village. The archaeological values of a portion of this site were probably destroyed by the establishment of two subsurface fuel storage tanks. The city will rely upon the archeological review process to protect the remaining values of this site.

The historical sites, too, are protected from conflicting uses. The Indian Sub-Agency no longer exists, but a sign erected and maintained by the Lincoln County Historical Society marks the site and explains its historical use. The site is bordered by a local cemetery and a low-density residential area.

The city has determined that the Little Log Church is historically significant and should be protected. The structure houses some artifacts and books owned by the Lincoln County Historical Society, and is a historic asset to the community. The Historical Society has indicated that this use will be continued as long as the society is financially and organizationally capable. The property is also under deed restrictions which limit its use to "religious or educational" uses. Conflicting uses are demolition and exterior alternations to the building. The city will adopt a plan policies and implementing measures to limit these conflicting uses.

Yachats' first hotel has been converted to a private residence. There is not adequate information to determine if the city's first hotel is significant historically. This resource qualifies as a "lb" resource under the Land Conservation and Development Commission's administrative rule for Goal 5 (OAR66016 T000(5)(b)). when adequate information is available to determine the significance of this resource, the city will complete the Goal 5

process by identifying conflicting uses, and developing a program to achieve Goal 5. The city will adopt a policy to conduct a historic resource survey in cooperation with the State Historic Preservation Office during future periodic reviews as funding and resources become available.

The city finds that the County Road #804 right-of-way and prescriptive easements as identified in Lincoln County Survey 11,905 (12/18/87), are historically significant. The existence of Indian shell middens along the right-of-way indicate that the bluff has been used for access to the ocean for hundreds of years. The right-of-way and prescriptive easements are protected from conflicting uses by plan policies and implementing measures adopted by the city.

As previously noted, the proposed Oregon Coast Hiking Trail route is located entirely within public right-of-way within the City of Yachats. City zoning regulations presently provide for setbacks of structures from property lines. As such, under current zoning, no uses which are within the city's regulatory jurisdiction would pose a conflict with the proposed trail route. The Oregon Coast Hiking Trail route is, therefore, classified as a "2A" resource pursuant to OAR660-16 and must be protected accordingly. The city will adopt a plan policy and implementing measure to protect the County Road #804 right-of-way and prescriptive easements from alterations which would prevent the establishment and maintenance of a segment of the Oregon Coast Hiking Trail.

The city does not anticipate any conflicting uses with the designated Oregon Coast Bicycle Route in Yachats. The route is, therefore, also a "2A" resource site.

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ESTUARINE RESOURCES

The Yachats River is an estuary as defined by the Oregon Land Conservation and Development Commission in the statewide planning goals and guidelines. An estuary is

"A body of water semi-enclosed by land, connected with the open ocean and within which salt water is usually diluted by fresh water derived from land. The estuary includes: (a) Estuarine water; (b) Tidelands; (c) Tidal Marshes and (d) Submerged lands. Estuaries extend upstream to the head of tidewater."

Since the head of tidewater on the Yachats River is outside of the city's planning area (1 ½ miles east of Yachats) all of the River lying within the planning area is an estuary as defined above.

The state's classification system for Oregon estuaries indicates that the Yachats River is one of many minor estuaries along the Oregon coast. Under the classification system, all minor estuaries are in either the "Conservation" or "Natural" category. The decision as to which of these two classifications apply to the Yachats Estuary is to be made by the city during development of its comprehensive plan. The decision should be based on: 1) the degree of urban development with altered shoreline; 2) the intensity of recreational use and 3) biological importance.

The classification establishes the level of development or alteration which may be allowed to occur within the Yachats Estuary.

"Natural estuaries" are defined as estuaries lacking maintained jetties or channels, and which are usually little developed for residential, commercial or industrial uses. They may have altered shorelines, provided that these altered

shorelines are not adjacent to an urban area. Shorelands around natural estuaries are generally used for agricultural, forest, recreation, and other rural uses.

"Conservation estuaries" are defined as estuaries lacking maintained jetties or channels, but which are within or adjacent to urban areas which have altered shorelines adjacent to the estuary.

The Yachats River Estuary is classified by the Plan as a conservation estuary due to the level of development that has occurred on its shoreline. The Estuary Classification Rule allows both natural and conservation management units in conservation estuaries.

The Estuarine Resources Goal Defines a natural management unit as follows:

Areas shall be designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall managed to preserve the natural resources in recognition of dynamic, natural, geological, and evolutionary process. Such areas shall include, at a minimum, all major tracts of salt marsh, tideflats, and seagrass and algae beds.

The Estuarine Resources goal defines conservation management units as follows:

Areas shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary, except for the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They shall include tracts of significant habitat smaller or of less biological importance than those in natural management units, and recreational or commercial oyster and clam beds not included in natural management units.

The Yachats River Estuary is divided into two management units. All estuarine areas within the Yachats urban growth boundary have been designated as a natural management unit. The portion of the estuary which is outside of the Yachats urban growth boundary has been designated as a conservation management unit by Lincoln County.

Cumulative Impact Assessment

The estuary plan limits recreational uses in the city's natural management unit to undeveloped low intensity, water-dependent and/or water-related recreational uses, such as temporary platforms for launching small boats. It is not anticipated that there will be a great deal of structural shoreline stabilization in the estuary. There is already an 800 foot riprap/dike extending northwest from the bridge on the north side of the waterway. Other development on the north side of the estuary is situated well above the water on natural banks. The majority of the mouth of the estuary is bordered by State parks.

Structural shoreland stabilization methods are only permitted in the estuary to the extent necessary to protect existing or allowed uses. Dredging and fill in conjunction with installation of pipelines, cables or utility crossings is expected to be minimal.

The most significant alteration which could occur in the estuary would be the future replacement or repair of the Highway 101 bridge over the Yachats River. However, there are no proposals for repair or replacement of the bridge at this time.

Because the Yachats is a minor estuary there is little information available concerning its physical and biological characteristics. However, sufficient data does exist to identify many of its estuarine features. This data is presented in various sections of this inventory and is summarized here for ease of reference.

Physical Characteristics

Within the planning area east of Highway 101, the Yachats ranges in width from 50 to 150 feet. This portion of the waterway, which is generally deep enough to be used by small boats, is confined within steep banks except for extreme high flows in winter months. West of the highway, the Yachats crosses wide a sandy beach. The river becomes quite shallow and its course changes with variations in weather, tides and amount of flow.

There are not marshlands within the estuary. Wetlands consist of approximately 40 acres of sandy tidelands lying within the mouth of the River between the rocky

coastlines to the north and south. Also, some low lying land area north of the waterway lies within the 100 year floodplain (alluvial terraces).

The amount of flow in the Yachats fluctuates considerably within a year with extreme lows in late summer and early fall. The average monthly discharge ranges from 18 to 19 cubic feet per second in August and September to 537 cubic feet per second in February. As noted previously, these average flows meet minimum flow requirements for fish. However, the river is over-appropriated which presents a potential threat to aquatic life.

Water temperatures range from 10-17.5 degrees Centigrade between June and October and 8-15 Centigrade between November and May. The dissolved oxygen concentration in milligrams per liter exceeds the water quality standards for both fresh and estuarine waters throughout the year. However, standards for total coliform organism and turbidity are not met at various times during the year particularly during periods of high surface run-off. (See section on water resource quality).

Biological and Recreational Importance

The Yachats Estuary has biological and recreational importance. A number of fish and wildlife species including anadromous fish use the Estuary as habitat. (See section of "fish and wildlife"). As a result, thousands of angler days and dollars are expended annually in recreational fishing in the Yachats. Also, many clam diggers come to the mouth of the Estuary during low tides in pursuit of Razor clams. These biological and recreational features as well as the scenic beauty of the Yachats help attract people to the area which is important to the local economy.

Development and Altered Shorelines

The amount of development that has altered the estuarine shoreline is minimal. It includes the footings of the Highway 101 bridge and approximately 800 feet of heavy rock rip-rap/dike extending northwest from the bridge on the north side of waterway.

Public access to the estuary, east of the highway, is extremely limited. Access west of the highway is provided through the adjacent State Park.

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SHORELANDS

Coastal shorelands are defined by the State as "those areas immediately adjacent to the ocean, all estuaries and associated wetlands and all coastal lakes. "For purposes of identifying the actual extent of shorelands in the Yachats planning area, all land area west of Highway 101 and all lands within an area defined by a line 1000 feet from the shoreline of the estuary must be studied. Shorelands are to include those which 1) are subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of the estuary; 2) have geologic instability where the instability is related to or will impact a coastal water body; 3) provide vegetation necessary to stabilize the shoreline and to maintain water quality and temperature; 4) serve as significant shoreland or biological habitat whose habitat quality is primarily derived from or related to the association with coastal water areas; 5) provide areas for water-dependent or water-related uses including recreation, dredge material disposal and mitigation sites; 6) have exceptional aesthetic or scenic quality (including headlands).

There are no existing, developed commercial/industrial waterfront areas which are suitable for redevelopment within the City of Yachats.

The identification of shorelands is therefore based on the composite of information provided in the various sections of this inventory. A summary of this information as it affects the designation of shoreland boundaries is presented below.

Lands Related to Hydraulic Action of Waterways

Floodprone areas are identified on the inventory map. They include lands north of the River to the immediate east and west of the highway bridge and further to the east between Yachats River Road and the waterway. Special flood hazard areas exist along the ocean shoreline with approximate inland boundaries of Yachats Park Road south of the river and Ocean View Drive/Old County Road #804 north

of the river. These areas are subject to storm waves and ocean flooding. The exact boundaries of the flood areas have been delineated by the Department of Housing and Urban Development as part of the flood insurance program.

Areas of Geologic Instability

The coastline within the area is subject to various types of erosion as noted on the map. The continual erosion of the marine terrace areas is particularly important. East of Highway 101, the river is bordered on both its north and south sides by steep slopes of greater than 25%. In some places, the slopes are greater than 50%. These steeper slopes have frequently been involved in landslides. The publication and mapping titled Yachats 1974 describes the slope characteristics. Also, there are areas of high water table and faults adjacent to the water bodies. (See Natural Hazards Map).

Vegetation

The banks of the Yachats River are heavily vegetated. This vegetation functions to maintain water quality in the sense that it reduces erosion and sedimentation and helps keep water temperatures low by providing shade from the sun. because of the extreme flows in the summer months, the vegetation serves a particularly important role in temperature control. Also, the vegetation is essential in preventing excessive erosion due to impermeable soils, steep slopes and rapid surface water runoff.

Habitat

Several of the species of fish and wildlife that inhabit or depend on the shoreland environment are listed above in the "Natural Resources" section. The extent of the habitats inland from the shoreline is not known exactly. However, it is important to maintain vegetation cover and natural shoreline contours in order to provide shelter for those species that use the land/water interface.

Areas for Water-Dependent or Water-Related Uses

There are no water-dependent or water-related uses presently occupying any of the shoreland areas in and adjacent to Yachats. It is unlikely that any of these

type of uses, with exception of a fish hatchery in the upper reaches of the estuary, would locate on shorelands in the area. However, several motels and restaurants benefit from locations near the shoreline because the scenic views attract customers.

Also, the 170 acres of shorelands included within two State parks provide recreational values to residents of the community as well as to visitors. These parks and other areas along the ocean (see Natural Resources map) provide public access to the sandy tidelands and to the rocky coastline where intertidal animals and smelt can be found. With exception of an undeveloped boat ramp, there are no access points or public recreation areas along the river.

Public Access

The coastal Shorelands Goal, as amended by the Land Conservation and Development Commission in 1985, states in part: "Local Government shall develop and implement a program to provide increased public access." The Goal also requires that "existing public ownerships, rights-of-way, and similar public easements in coastal shorelands which provide access to or along coastal waters shall be retained or replaced if sold, exchanged or transferred." Rights-of-way may be vacated to permit redevelopment of existing developed shoreland areas provided public access across the affected site is retained."

Development of new access in Yachats is limited by the availability of resources. The city's general fund budget is extremely limited. The city must rely on state and federal grant funds for the improvement access. These include the following:

1. The Land Water Conservation fund, a federal program administered by the State Park and Recreation Department.
2. The Coastal Zone Management 306A program, administered by the State Department of Land Conservation and Development.
3. The State Marine Board Boating Facilities Program, which specifically funds boat ramps and docks for recreational boating from license fees.
4. State Fish and Wildlife Angler Access Program, which is funded from fishing license fees.

There are three state parks in Yachats which provide access to the ocean. These

parcs are Smelt Sands Wayside (3.86 acres), Yachats Ocean Road State Wayside (79 acres), and Yachats State Park (93.6 acres). There are numerous other public access sites in the city which have been identified by the Public Access Inventory of Oregon Beaches Estuaries and Coastal Lakes by Benkendorf Associates. The inventory identifies twelve access sites in Yachats. The inventory includes information on the type of access, ownership and type of existing improvements. The identified sites are as follows:

- County Road #804 - this is a county road which provides pedestrian access to and along the ocean shore.
- Smelt Sands State Wayside - This is a state park which provides pedestrian access to the ocean via an unpaved trail.
- Aqua Vista - This is a city-owned road-end site which provides pedestrian access to the ocean. Pedestrian access is also provided by two ten foot public easements on either side of Tax Lot 1200, Map 14-12-27 AA.
- Ocean View Drive Public Access - Lot 26 on the west side of Ocean View Drive, Map 14-12-27 AA, has been dedicated for access to the Pacific Ocean or other recreational use. Lot 26 is owned by Ocean Crest Lots.
- Ocean View Drive at 7th - Lot 1 on the west side of Ocean View Drive, Map 14-12-27-AD (Tax Lot 11500), donated to the State Parks and Recreation Department in 1986 , but not yet developed.
- Marine Drive - This is a city-owned road-end site which provides pedestrian access to the ocean.
- 5th - 6th Street - This is a city-owned road-end site which provides visual access to the ocean.
- 4th Street - This is a city-owned road-end site which provides visual access to the ocean.
- Yachats State Park - This is a state park which provides pedestrian access to the ocean via steps and a paved parking lot. Access to the state park is provided from 1st and 2nd Streets and Ocean View Drive.
- Ocean View Drive - This is a city-owned roadside site which provides visual access to the ocean.
- Yachats Ocean Wayside - This is a state park which provides pedestrian access to the ocean via steps and a paved parking lot.
- Driftwood Drive/Agate Point - This is a city -owned road-end site which provides visual access to the ocean.
- Gender Drive/Agate Point- This is a city-owned road-end site which provides

visual access to the ocean.

- S. Marine Drive/Agate Point -This is a city-owned road-end site which provides visual access to the ocean.

Program to Increase Public Access

County Road #804, which provides access to the ocean shore, is discussed in the inventory section on Potential and Approved Oregon Recreation Trails. As indicated in the Trail section of the inventory, the State Parks and Recreation Department is planning to develop a portion of the Oregon Coast Hiking Trail in the County Road #804 right-of way.

The city endorses the State Parks and Recreation Department's proposal to develop the Oregon Coast Hiking Trail through Yachats. The city encourages the State Parks and Recreation Department to obtain easements necessary to extend the Oregon Coast Hiking Trail south of Smelt Sand State Park to permit continuous foot traffic through Yachats.

Development of this trail will be part of the city's program for providing increased public access to coastal shorelands. The city has adopted a policy (IIIA3) which commits the city to assist the State Parks and Recreation Department and Lincoln County in protecting the County Road #804 right-of-way from alterations which would prevent the establishment and maintenance of a segment of the Oregon Coast Hiking Trail. The city has also adopted implementing measures to review potential development which may affect the right-of-way.

The city will also encourage signing of existing public access, and development of handicapped-accessible access point.

Exceptional Aesthetic Qualities

Probably the most important characteristic of shorelands in the planning area is their aesthetic quality. It is this quality that attracts people to Yachats. Therefore, it provides both recreational and economic values to the community. The amount of land area necessary to provide and protect the aesthetic characteristics determines to a large extent the amount of area that should be identified and managed as shorelands.

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AREAS SUBJECT TO NATURAL HAZARDS

Areas within and adjacent to Yachats that are subject to natural disasters or hazards are generally identified in the publication Environmental Geology of Lincoln County, Oregon (Bulletin 81) prepared by the State Department of Geology and Mineral Industries in 1973. The study titled Yachats 1974 prepared for the city by Kathy Hows and Luis Arismendi includes the information contained in Bulletin 81 and adds to it by describing the characteristics and limitations of soils in the Yachats planning area. Yachats 1974 with the following exceptions, includes sufficient information for the city to use in developing land use policies for hazardous areas. Therefore, it is incorporated as a part of this inventory.

A third relevant study is titled Environmental Hazard Inventory; Coastal Lincoln County, Oregon, by RNKR Associates. The information in that report also incorporated as part of this inventory.

In describing soils in the Yachats planning area, Yachats 1974 substitutes a closely related soil series (Chitwood) for the actual soil series (Glenden). Although there is only minor variation in the characteristics, it may be of importance. Therefore, the soil profile for the Glenden series is included in appendix.

In regard to flooding, there is no mention of ocean flooding in Yachats 1974. The planning area is subject to ocean flooding, which may be caused by storms at sea, strong westerly winds, tidal forces and tsunamis. There is no accurate method for predicting the frequency or magnitude of this type of flooding. However, based on past occurrences, ocean flooding may happen once every ten years.

On June 23, 1975, the Yachats City Council adopted resolutions 60 and 61 pertaining to the National Flood Insurance Program. The resolutions committed the city to regulating building activity in possible flood hazard areas in accordance

with Federal guidelines. The commitment was carried out on May 8, 1979 by adoption by the City Council of a Federally approved ordinance establishing flood plain regulations (Ordinance # 76).

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RECREATION

Existing Facilities and Opportunities

Because the Yachats area is rich in natural resources, there are a number of recreational opportunities available to the local residents, as well as to visitors. These include: fishing in the river from a boat or from the bank and in the ocean from the rocks; dipping for smelt in the surf; clamming; investigating rocky intertidal habitats; watching the surf surge through the rocks; boating on the river; having a picnic, observing wildlife and taking a 22 mile scenic drive up the Yachats River and over the hills west to Cape Perpetua.

Existing facilities make these opportunities more available to the recreationist. Within the city, there are twelve access points to the rocky coastline and the smelt sands and intertidal habitats that are found there. Most of these access points are located in the 170 plus acres of state owned parkland (includes tideland and rocky coastline). Also, there are nine picnic tables dispersed within the same area of the Yachats State Park and the Yachats Ocean Road State Wayside. Additional picnic facilities, landscaping and erosion control are planned for the 1979-81 period.

These parks are heavily used as indicated by the following visitation records:

Day Visitor Attendance

	<u>1971-72</u>	<u>72-73</u>	<u>73-74</u>	<u>74-75</u>	<u>75-76</u>
Yachats Ocean Road	100,636	96,574	121,648	96,607	92,072

Yachats State Park	213,796	221,983	176,481	171,931	187,615
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Source: Oregon State Highway Division, State Parks and Recreation Branch

The State also owns 3.86 acres of land within the city which it plans to develop during the 1979-81 period. Roads, parking, restrooms and landscaping will be added to the Smelt Sands Wayside. This park will then allow direct access from Highway 101 to the smelt sands.

In addition to these facilities, there is a boat launching site on the River near Salmon Creek. Also, the 4.85 acres of school grounds provides a playground area and sufficient field space for the summer Smelt Festival. The school building as well as the fireball, Lion's Clubhouse, and Ladies Club serve as community centers for meetings and recreation. And for hiking and biking enthusiasts, the state is proposing a couple of recreation trails.

Development of the Smelt Sands Wayside has progressed to completion of a road and parking space. During 1980 it is anticipated that restroom facilities will be constructed. The Wayside provides a place for visitors to park, gain access to the smelt, and rest afterwards.

Recreation Needs

Several questions concerning recreation needs were included in the community survey conducted in early 1976 (see appendix).

The majority of people responding to the questions felt that existing parks and picnic areas were good or excellent and half of the respondents felt there was no need for improvement. A three to one majority felt that the city should not acquire more land for parks and recreation facilities. On the subject of public meeting places and recreation facilities, the majority felt these were below average or poor for young children and teenagers and that there was need for improvement. The same type of facilities for adults and senior citizens were considered average or better, but still in need of some improvement. Those respondents who felt that additional recreation facilities were needed specified senior citizen centers and recreation centers as most important. Also, there is an apparent interest in adding

a neighborhood park and a day use park along the Yachats River.

The Lincoln County Parks and Outdoor Recreation Plan (September, 1971) indicates a shortage of playground, neighborhood park, playfield and community park facilities in Yachats. This plan recommends that the city acquire part of all of the undeveloped school property for future development.

Based on the popularity of fishing in the River (4400 angler days in 1971) and of dipping for smelt and rock fishing in the ocean, improving the access to these bodies of water could be considered a recreational need in the area. Several of the beach (rocky coastline) access points are unmarked and unimproved. The single boat launching site on the River in the planning area is on private property and is unimproved. Other than that at the mouth, there is no public access to the River and no public place to fish or picnic by the River.

TRANSPORTATION

Existing Facilities

U.S. Highway 101 passes through Yachats and serves as the main transportation route running north and south from the city. It is a two-lane facility which carries an average of between 2500 and 3600 vehicles a day. However, during the summer tourist/recreation season, the vehicle count for one day can exceed 5000. The Highway bridge over the Yachats River, which recently has been expanded from a 20 foot roadway to a 41 foot roadway also is a two-lane facility but includes an 8 foot bikeway-walkway with a curb separation from the traffic lanes.

County Road #804 (Yachats River Road) serves as the main transportation route running east from the city. It is a two-lane paved facility which carries an average 380 vehicles a day within the city limits and 190 vehicles a day east of the city limits. A change in alignment of the road to solve problems with its intersection with Highway 101 was studied and four alternative routings were considered. Recently, plans were approved for developing a 20 acre parcel east of the highway and south of the River Road. The plan includes a county road passing through the development which will connect the River Road and highway and provide an alternate intersection. County Road #804 also extends west of Highway 101 as Ocean View Drive and Marine Drive. The loop formed by 3rd

Street, Pontiac Avenue and 2nd Street west of Highway 101 is also a County Road (#811).

The city streets and their level of improvement are shown on the inventory map. Most of the city's streets are graveled. Several dedicated streets are not yet improved for vehicular use. Many of the paved streets are considered too narrow for safe pedestrian use.

There are few facilities available specifically for pedestrian traffic. The exceptions are improved beach access in the State parks, the crossing light on Highway 101, the bridge improvement, and limited sidewalk area along Highway 101 in the center of town. The fact that facilities are limited is consistent with the village character of Yachats. However, lack of adequate facilities creates potential safety problems.

A bicycle route is provided along Highway 101 between Yachats River Road and the southerly entrance of Yachats Park Road. This route will be extended with the completion of the proposed Oregon Coast Bicycle Route.

Public transportation in the area is limited. It consists of travel by Greyhound bus and by two busses for senior citizens. The Greyhound makes six stops in Yachats at the Shell Service Station in the center of town. The northerly run departs at 4:35 a.m., 9:40 a.m. and 2:17 p.m. and travels up the coast to Lincoln City where it turns inland to Portland. The only possible connections to Corvallis departs Newport at 7:00 a.m. . The southerly run departs at 11:43 a.m. , 4:36 p.m. and 11:20 p.m. and travels the coast to California. No good connections are available to Eugene. A lane County sponsored bus provides service between Florence and Eugene. It departs Florence at 8:30 a.m. and returns at 6:00 p.m. on Monday and Friday. If this service could be extended to Yachats, it would greatly improve public transportation opportunities to the south.

The two senior citizen busses are limited to certain days of the week. The busses make a door to door stop by appointment and there is no charge for the service. The County bus for senior citizens travels round trip between Yachats and Newport on Fridays and Yachats and Waldport Senior Center on Wednesdays. The Ray Cox Senior bus travels round trip between Waldport Senior Center and Yachats. Of the 400 members of the Waldport Senior Center, only 7% use this

service on a regular basis.

Parcel service is provided to the Yachats area by United Parcel Service which has a depot four miles north of town, by the U.S. Postal Service and by Greyhound.

Transportation Needs

Responses to the Community Survey indicate that people in the community feel some need to improve transportation facilities. In particular, most respondents felt that sidewalks and curbs were below average or poor and in need of improvement. City streets were considered average or better, but still in need of improvement. Street lighting and parking availability were also considered average or better by most of the people answering the questionnaire.

The majority of resident of Yachats are senior citizens. It is estimated that at least 20% of these people do not drive a car either because they cannot afford one or are not physically able to drive. They depend on the Greyhound and senior citizen busses or on friends and neighbors to transport them to doctor appointments, legal appointments or shopping outside the area.

Senior citizens who do not drive, young people who are of age to drive and others need sage ways to move around town on foot.

Gravel streets and narrow paved streets restrict pedestrian travel.

Because the economy of the town is oriented toward the tourist/recreation industry, it is important to have adequate, convenient parking and pedestrian ways so that travelers will stop and look around.

The planned improvement of the Yachats River Road - Highway 101 intersection is needed. The intersection does not allow turns south onto the highway nor turns east from the highway to River Road. This not only creates a potential hazard, but also forces traffic, including log trucks, into residential areas of the city in order to turn around.

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PUBLIC FACILITIES AND SERVICES

The following information describes the public facilities and services in the Yachats planning area. The inventory map identifies the location of facilities and present service areas.

Water Supply

The city of Yachats obtains water from Reedy Creek, approximately one-half mile above its confluence with Yachats River (three miles east of the City limits). The dam provides storage for approximately 180,000 gallons. The water is treated by settling basin and chlorination. The transmission system consists of 16,000 feet of 6 inch asbestos cement pipe. A 250,000 gallon concrete reservoir is located east of Kind Street and a 10,000 gallon concrete reservoir is located adjacent to Horizon Hill Road.

The City provides water service to all users within the city limits and to ten households south of the city. At present, there are 411 water connections. Residents within the planning area north of the City limits obtain their water from Starr Creek through the Southwest Lincoln County Water District.

A study made in 1970 when there were 280 water service connections found that the Reedy Creek water supply had an estimated low summer flow of 80,000 to 140,000 gallons per day, which was not adequate for peak summer demand.

In 1972, with 350 connections, water demand was estimated at an average of 100,000 gallons per day with a maximum daily demand of 170,000 gallons. The minimum flow measured in Reedy Creek that year was .38 cubic feet per second, approximately 240,000 gallons per day. The water supply was considered to be critical during summer months. Water quality was considered generally good with the exception of excessive turbidity following heavy run-off periods.

In 1975, the Yachats water system did not meet minimum requirements set forth in Oregon Administrative Rules Chapter 333 according to the state Health Division. Additional service taps or extension mains were not allowed because (a) the quantity of water available at low flow conditions was inadequate for the 400 users; (b) the water treatment did not meet the requirements of the Health Division and (c) storage volume was not adequate.

An inspection of the water system was conducted in July, 1976 by a representative of the State Health Division. The problem of inadequate supply during low summer flows was again noted. Also, it was found that additional treatment processes were needed to remove high turbidity in the water and to meet the Federal Interim Drinking Water Standards that became effective June, 1977. Storage was found to be inadequate. A capacity of 720,000 gallons was recommended. Several other improvements to the storage and distributions systems were recommended.

Although most people responding to the recent community questionnaire (Appendix C) indicated that water service was average or better, it is apparent from the above studies that improvements must be made in order to adequately meet existing and projected demands for water. The Federal Drinking Water Act which took effect in June, 1977 places additional responsibility and liability on the city to provide safe drinking water.

The march, 1973 Water Supply for Yachats Water District by Clark & Groff Engineers, Inc. details the possible sources for additional water, and by its reference is incorporated herein.

All information contained in this inventory points to a serious water problem, which major components include turbidity, supply, storage and quality. These present shortcomings in the system, in turn, place a major restraint in the city's economic development and provision of housing. It also places the city in the position of balancing the need for water with the need to maintain the quality of the Yachats River estuary.

In order to address the water situation, the city has undertaken an engineering study to determine the needs of the city and the options available to serve those

needs. The proposed program is described in a report prepared by Edward W. Riley in consultation with the Yachats Public Works Commission. The report addresses the issues of additional source, additional storage and filtration. It is proposed to fund the storage and filtration plant phases by a bond issue or grant monies if available. It is also proposed to develop Salmon Creek as a separate, more immediate project. The Salmon Creek project will augment the present Reedy Creek source. Since Salmon Creek flows into tidewater, there will be no adverse effect on the Yachats River. It is expected that the proposed program will be submitted to the City Council for consideration in the near future.

In the meantime, the critical water situation will continue as will demand for that water. Therefore, until determinations are made as to how the city will supply adequate water and until that supply is available, significant curtailment will have to be placed upon new hookups.

A Water System Evaluation and Long Range Plan for the City of Yachats has been completed by HGE Engineers in March of 1989. The Evaluation identifies needed improvements to the water supply, treatment, transmission line, storage, and distribution systems. This study is hereby incorporated into the plan inventory by reference. The document also identifies a proposed financial program to make the needed water system improvements.

Sewage Disposal System

The city's new sewage collection and treatment system, which began operating in 1975, accomplishes secondary treatment of wastes through an activated sludge process. The current waste discharge permit (expires 12/31/83) allows a summer discharge of 25 lbs. per day of Biochemical Oxygen Demand (BOD) and suspended solids directly to the Pacific Ocean. At present the discharge of BOD and suspended solids is only a little over 3 lbs. per day. The plant is designed to serve a population of 1,330 people and a daily flow of 150,000 gallons. The hydraulic limit of the plant is 450,000 gallons.

The sewage disposal service area lies totally within the city limits. There are 372 connections to the system at present. Some sparsely developed areas within the city are not served due primarily to the cost of extending the sewer lines.

The treatment plant is considered to be at about 40% of its designed capacity. However, during the rainy season, water infiltration can reduce the capacity of the plant. In December, 1975, the plant experienced a flow of 264,000 which was under the hydraulic limit, but over the designed treatment limit.

Sewage treatment problems exist to the north of Yachats. At present, all development between Waldport and Yachats is on septic tanks. Many of these septic tanks, particularly within the city's planning area, are in need of repair, but cannot be repaired adequately due to site limitations. It is unlikely that any additional developments using septic tanks will be approved in this area.

Lincoln County's comprehensive sewerage plan (January, 1974) proposes that the sewage treatment problem north of Yachats be resolved by building an interceptor sewer north to Big Creek.

The plan suggests that the city's treatment plant could carry the additional load until 1990, when the capacity of the plant would need to be doubled.

This plan along with five alternatives were studied in a detailed Environmental Impact Statement (EIS) by the Environmental Protection Agency (EPA). This was done in response to an application for a 75% construction grant from the Southwest Lincoln County Sanitary District. One of the five alternatives involved transfer of all flow from the city limits of Waldport south to a new 750,000 gallon per day treatment plant in Yachats (to be located at the site of the present plant).

The Sanitary District's grant application was not successful, and it is likely that the need for sewer service in that area will be one of the important issues to be addressed at the next plan update.

There are four DEQ-approved sludge disposal sites for the City of Yachats. All of the sites are located outside the city under County jurisdiction.

Solid Waste Disposal

Approximately 30 compacted cubic yards of solid waste is collected each week from households and businesses in the city. This collection service is provided by

Dahl Disposal Service. It is estimated that only half of the households take advantage of this service.

The waste is taken to a burning dump site in Waldport. The site is supposed to lose *****ILLEGIBLE***** due to state regulations, but is remaining open pending a request for approval to operate as a sanitary landfill. There is a county-side effort to locate a suitable land fill site, and it is of significance to the city that the Waldport site is considered to be an outstanding possibility in the opinion of the consulting engineer. (Conversation with William Adams, Yachats' representative on the County Solid Waste Advisory Committee.)

The city is participating in the county-wide Solid Waste District. The County is attempting to find a means of accommodating the District's long range needs.

Schools

The Yachats Elementary School has been closed and is now used by the community college service district and for other community functions. The city strongly supports continued public ownership and use of the entire site. The school is a valuable community center which is needed to insure that adequate facilities are available for the educational and recreational needs of the community.

City Government

The new city Hall, built in conjunction with the sewage treatment plant, provides adequate office space for the full-time city Recorder and personnel assigned to the sewage treatment plant and water systems.

The city is governed by a five member Council including the Mayor. In land use matter, the Council is advised by a nine member planning Commission. The city adopted its first zoning and subdivision ordinances in September 1972 and February 1975, respectively, but did not prepare a comprehensive land use plan. In November 1978, a Land Use Ordinance (Ordinance #73), combining zoning and subdivision regulations in one ordinance, was adopted to implement a comprehensive land use plan which adopted in October, 1978 and submitted to the State for acknowledgment of compliance. The acknowledgment review, however, found the plan was not in compliance with statewide goals, and the city

was ordered to revise and resubmit the plan by April 1, 1980.

Fire Protection

Yachats receives fire protection services from the Yachats Rural Fire Protection District. The District extends from the south city limits of Waldport to just south of Yachats. A fire station and fire fighting equipment are located within the city as well as at Yaquina John Point South of Waldport. The quality of fire protection is good as indicated by comparatively low insurance rates.

Police Protection

The city does not have its own police force. Law enforcement and police protection services are limited to what is normally provided by the State Police and the County Sheriff. A sheriff's deputy is assigned to the south part of the County, during the day, seven days a week. At night, there are only two deputies covering the entire County. In the past, the city has contracted with the Sheriff's department for additional services, but has not done so for the past two years.

The majority of people responding to the questions on law enforcement in the community questionnaire indicated that this service was below average or poor. Recent night burglaries have pointed out a need for more night-time patrols of the area.

Other Public Facilities

Other public and semi-public facilities in the Yachats area include a library, three state parks, ambulance service, post office, various churches and community organizations and a cemetery. The library is located in the grade school. The facility is considered good to excellent by most people answering the community questionnaire. However, if enrollment in the school were to increase, it might be necessary for the School District to use the space occupied by the library for classroom.

Medical and health facilities and services in the planning area are considered poor by nearly all people responding to the community questionnaire. However, the city does have ambulance service which is provided by the South Lincoln Ambulance

Corporation, non-profit corporation.

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AIR, LAND AND WATER RESOURCE QUALITY

The Yachats planning area, like other coastal areas in Lincoln County, has excellent air quality. Oceanic influence, topography and favorable wind conditions help to maintain good ventilation. Also, the low population and absence of industrial development mean that few, if any, air quality problems exist. However, smoke from slash burning in the forested area east of Yachats and air discharges from the mill at Toledo are occasionally noticed in the planning area. This happens only when there is a predominant wind from the east and northeast.

The quality of land in terms of disposal of solid waste will be maintained through the county-wide Solid Waste District as discussed previously. Lincoln County is without an acceptable (per state environmental quality standards) sanitary landfill site at present. Existing sites were to close in October 1977 but the closure date was extended to July 1980. At present, possible landfill sites are still being studied by the Solid Waste Advisory Committee, on which the city is represented. As noted previously, the Waldport site, which serves the city, is considered to be outstanding among the potential sites.

Water quality in the Yachats area is generally good. The Department of Environmental Quality has a water quality monitoring station on the Yachats River approximately 1.4 miles east of Yachats. Data collected at this station indicate that the instream water quality generally meets the established water quality standards for the mid-coast basin (see summarized standards in appendix). However, during periods of low summer flows, the concentration of dissolved oxygen falls below the established standards. Also, the total coliform level (intestinal bacteria) is regularly exceeded on a year-round basis, especially during periods of high surface run-off.

Due to the variation in flow in the waterways found in the mid-coast basin, (includes the Yachats River) i.e. high in winter and low in summer, two

undesirable water quality conditions result. High surface run-off in the winter causes increased turbidity and high coliform levels. Solar heating on diminished flows in the summer warms the water above the desirable temperature for aquatic life. Because of these conditions, waterways in the mid-coast basin are generally considered by the state to be "water quality limiting".

The city's waste treatment plant discharges its effluent directly into the ocean. The plant accomplishes a 96% reduction in raw waste load. The amount of waste (BOD and suspended solids) remaining in the effluent discharge is only 15% of the amount permitted by the state.

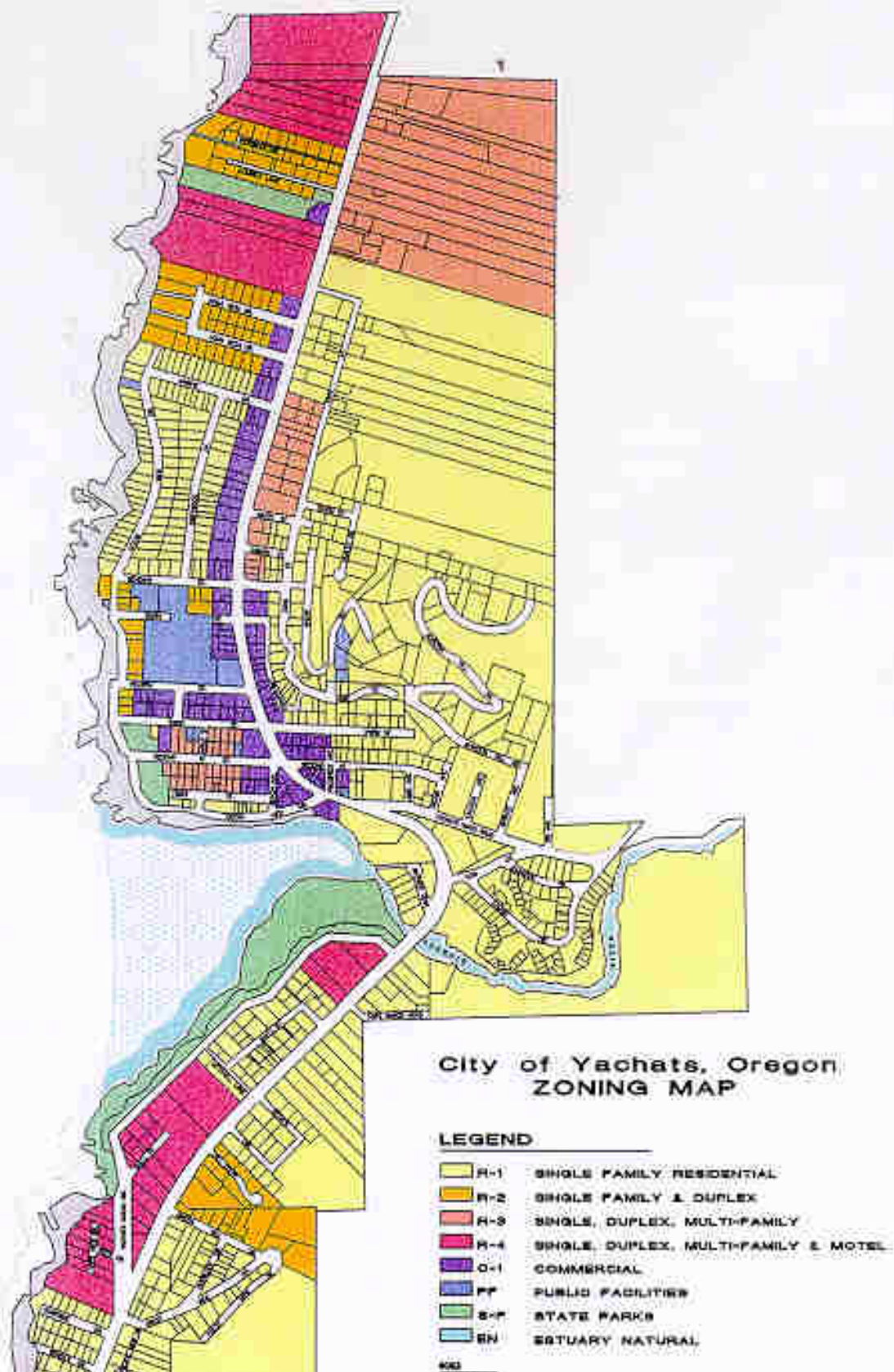
Water quality in the planning area north of the city limits may be threatened. Many of the septic tanks in this area are apparently in need of repair. An evaluation of the possible water quality problems is soon to be completed by the State Department of Environmental Quality and Lincoln County.

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