

**CITY OF YACHATS
ORDINANCE NO. 322**

**AN ORDINANCE AMENDING THE YACHATS MUNICIPAL CODE
SECTION 9.52.050(B) – HAZARD AREAS**

WHEREAS, in prior Zoning & Land Use Code amendments to Section 9.52.050 Hazard Areas, references to the 1978 Environmental Hazard Inventory (RNKR study) were deleted. One reference to the RNKR Study remains in Section 9.52.050.B.; and

WHEREAS, following a Public Hearing on August 20, 2013 the Planning Commission voted to recommend to City Council that the language be changed so that it is consistent with wording elsewhere in the Hazard Areas section of the Yachats Municipal Code; and

WHEREAS, City Council held a public hearing on November 12, 2013 and voted to amend the Yachats Municipal Code Section 9.52.050 as recommended by the Planning Commission;

NOW THEREFORE, the City of Yachats ordains that the Yachats Municipal Code Section 9.52.050 – Hazard Areas be amended, in part, to read as follows:

B. Developers of property having a slope of twelve (12) percent or within five hundred (500) feet of a landslide or fault area ~~(as shown on the Hazard Map – Environmental Hazard Inventory, RNKR Associates, 1978; copies of which are on file at City Hall)~~ shall also be subject to the following requirements:

1. A performance bond or other type of acceptable financial instrument shall be posted with the city to ensure short and long term maintenance of site stability and prevention of landslides as a result of the development. The performance bond shall be an amount sufficient to secure completion of site preparation, excavation, fill, grading, drainage, planting, revegetation or site stabilization plans. The amount of such security will be determined after receipt of all information pertinent to the development and prior to final approval of project.
2. The site must be replanted and stabilized in accordance with the recommendations outlined in the geotechnical report. This vegetation must be maintained to ensure the continuous stability of the area.
3. All construction materials shall be stored in such a manner as recommended by the geotechnical report.
4. The geotech must be certified that all work has been completed as stated in the report.

PASSED AND ADOPTED by the City Council of the City of Yachats on this _____ day of _____.

Ayes: _____ Nays: _____ Abstentions: _____ Absent;

APPROVED by the Mayor this ____ day of _____.

Attest:

Ronald L Brean, Mayor

Nancy Batchelder, City Recorder