

MEMORANDUM

TO: Heide Lambert, City Manager
Mayor Berdie and Yachats City Council

FROM: Yachats City Planning Commission

DATE: April 18, 2023

SUBJECT: Request for Full-Time Status for Yachats City Planner

The Planning Commission wishes to express its serious concern with the recent and significant reduction in weekly hours authorized for the City Planner position and the risk to the City by failing to meet state-mandated deadlines for actions on pending and future land use applications. This reduction by the City Manager appears to walk back a decision of the former Mayor and City Council at its September 15th, 2021 meeting to increase the hours of the City Planner to provide for at least a four-day work week. A review of this Council meeting recording shows that 16 hours per week was found to be insufficient for the City Planner to process land use applications and building permit reviews in a timely manner, let alone conduct important long-range planning efforts for conscious city growth.

The Planning Commission would like to know Ms. Lambert's reasoning for reducing the City Planner's weekly hours by one half, and any plans she may have to fill the significant void. The Planning Commission strongly believes that our growing city needs at least one full-time professional planning position.

As Manager Lambert and Council are keenly aware, Yachats, like all Oregon municipalities, is mandated by Oregon planning law to have an adopted Comprehensive Plan and ordinances which help implement the Plan that are consistent with 19 statewide planning goals. In addition, our Planning Commission is tasked with both quasi-judicial (conditional use and variance) and legislative (comprehensive planning, regulatory ordinances, special projects) functions. And, the Planning Commission (and, in some cases, the City Council) is required by law to act on all quasi-judicial and some legislative matters within a specified period of time. Failure to act within that time, unless voluntarily extended by an applicant, results in automatic approval of the application. Both quasi-judicial and legislative decisions can be appealed to the State's Land Use Board of Appeals, with potential financial consequences to the City. For these reasons alone, the City requires the technical assistance of a full-time professional city planner to help the Planning Commission, and City Council, reach timely, informed decisions on land use matters.

At our Planning Commission's April 18th regular meeting, we conducted public hearings on two conditional use requests as provided for by the Yachats Municipal Code. For us to conduct these

hearings in accordance with City and Oregon planning laws, the City Planner must publicly advertise these hearings and research and notify by certified mail any surrounding property owners of the application as well as the scheduled date and time of the Planning Commission hearing. To help us make informed decisions, the City Planner also typically conducts a site visit, and a technical analysis of each application by reviewing the applicable provisions of the City's Comprehensive Plan and the standards and criteria specified by the Yachats Municipal Code for evaluating the proposal. The City Planner may also need to converse with the applicant and respond to email and phone inquiries from property owners who receive formal notice. No later than one week in advance of the advertised hearing, the City Planner prepares and publishes a written report which presents the facts of the application, a summary of the technical analysis, and one or more recommended conditions of approval. During our public hearings, the City Planner is present to review the published staff report, answer Planning Commission, applicant, and other hearing attendee questions, and help guide the Commission with its decision. Upon conclusion of the hearing and Commission decision, the City Planner draws up the formal action of the Commission, including establishing the findings of fact and listing any conditions of approval. That written record of action is then transmitted to the applicant within so many days of the hearing and decision.

All of the work mentioned above, i.e., land use applications, building permit reviews, telephone, electronic, and walk-in inquiries of the public is considered *reactive* planning and is the bare minimum required for the City to meet the demands of Oregon law and members of our community. But that work should make up only a portion, and not the majority, of a professional City Planner's time and efforts. Sound planning, as the name "planning" implies, is about being *proactive*, i.e., preparing for and guiding the City's future. To properly plan for Yachats' future based on a moderate rate of growth, long-range planning efforts are an essential part of a professional planner's responsibilities. Examples of recently completed long-range planning projects include the Yachats Downtown Parking Management Plan and the City of Yachats Housing Needs Assessment. Other long-range projects pending completion include the Yachats Local Wetland Inventory and the City of Yachats Housing Implementation Plan. The City's Comprehensive Plan, originally prepared in 2003 and last amended in 2021, is also in need of major revisions. Our Commission has identified numerous problematic sections of Title 9 of the Yachats Municipal Code. These long-term planning projects and needed regulatory changes are complex and cannot succeed without being actively managed by a full time professional City Planner.

While our Commission would like to hear the current City Manager's reasoning for the reduction in weekly assigned hours to the City Planner and any related staffing plans, we urge the Mayor and City Council to select a new City Manager who sees the value of a full-time professional city planner position in serving the City's needs, and establishes such as one of their early actions. We also ask that the Mayor and Council ensure that the approved 2023-2024 City budget includes sufficient funds to establish such a position as full-time.