



City of Yachats

YACHATS PLANNING COMMISSION

January 21, 2020

Work Session Draft Minutes

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

I. Planning Commission Goals

Commissioner Bloch noted Planner Mattison’s handout of sections of code needing adjustments. He recalled goals that have been mentioned by Commissioners and asked if the Commission wanted to reprioritize their goals or to simply move forward with lighting. Commissioner Anderson noted that they had yet to receive the list of goals that were started during the Council goal setting session and suggested they wait to prioritize until they see what the Council goals are.

Bloch and Anderson agreed that they should focus on lighting. Commissioner O’Shaughnessey stated they should proceed with lighting as the public input information is fresh in their minds.

Commissioner Conner raised an issue with language in Title 9 about issues not covered in Title 9 being directed to Council (9.88.140 Unanticipated Provisions). He wanted to prioritize fences. Planner Peterson indicated he interpreted the language to mean anything not covered in Title 9 would be addressed with Council. Conner clarified there were no requirements or standards around fencing in Title 9. Conner noted the state allows for seven-foot fences. Anderson noted the state regulations apply to the City, unless the City wished to be stricter than the state regulation.

Commissioner Orchard wanted parking to take priority over fences, but agreed that lighting should be first. Commissioner Dickinson also wanted parking to be above fences.

II. Discussion with City Manager

Anderson stated the Commission’s review of Admin Policy 6 led to many questions about how they interact with the Planner. MB indicated simple requests for copies. She stated research requests or more involved request should be made by the entire Commission. Anderson asked if

1 the Commission could directly ask the Planner of if the matter had to come to the Manager. MB
2 indicated the Planner could ask her after the meeting. She stated she was fine with the
3 Commissioners reaching a consensus for direction to the Planner during the Planning meetings.
4 Anderson asked about questions for the planner around interpretation issues and other matters of
5 clarity. MB stated she preferred to have questions addressed with the body as a whole. Mattison
6 noted Commissioners direct questions to the Chair and the Chair talks to the Planner.
7 Commissioners indicated they were fine with discussing questions during meetings or asking the
8 Chair.

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10 Commissioners also agreed they would be responsible for getting their own printed hard copies
11 of digital documents. Manager Beaucaire indicated she was less concerned about the purpose of
12 a document rather than the size. Anderson indicated she has forwarded digital documents that
13 one Commissioners submitted to all Commissioners. Manager Beaucaire asked that those
14 documents be forwarded to the Planner as well. Conner noted that documents on the website
15 only go back to 2016. Anderson stated they would be getting more of the old document library
16 online. Conner also noted the Comprehensive Involvement Plan onto the website. Anderson
17 indicated she had not been able to find such a document.

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19 Bloch asked if it would be appropriate to ask the Code Enforcement Officer for information or if
20 it would be better to have that person come to a meeting. Manager Beaucaire indicated she
21 favored having the Officer at a Planning meeting so everyone could be party to the discussion.

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23 Anderson asked what the long-term plan for Code Enforcement for the City was. Manager
24 Beaucaire stated she spoke at the Council meeting and stated that Code Enforcement was a
25 seasonal need. Anderson stated that the Commission did not agree with that assessment.
26 O'Shaughnessey asked what criteria was used to make the determination of seasonal needs.
27 Manager Beaucaire indicated she looked at the number of complaints submitted.
28 O'Shaughnessey stated that was but one small slice of code enforcement and wanted to see
29 broader issues considered. Bloch agreed with O'Shaughnessey that more proactive elements of
30 code enforcement were needed. He indicated there was more than 40 hours of work per week for
31 a code enforcer. Anderson asked specifically about clear sight issues. Manager Beaucaire
32 indicated that would be a discussion between Council and the Commission. She argued that
33 most code enforcement was reactive and caution was needed for proactive code enforcement due
34 to subjective enforcement. Orchard noted proactive could be abused. Dickenson noted with
35 issues coming before the Commission, he can see even more time being needed for reactive
36 enforcement. O'Shaughnessey stated abuse issues can be managed through supervision. She
37 stressed the importance of education from a code enforcer.

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39 Manager Beaucaire asserted there needed to be a balance between rules and flexibility. She
40 suggested more articles in the newsletter or starting a code enforcement task force. Orchard
41 clarified that the code enforcer plan was the City Manager's decision. Manager Beaucaire added
42 that the type of program for code enforcement was a matter of policy from Council and the
43 Commission.

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45 Manager Beaucaire stated she was looking into TCB to do code enforcement services. She noted
46 they were currently doing code enforcement for Toledo and appeared to be very proactive. She
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1 has asked for a proposal from TCB for two days per week onsite service and the afterhours
2 hotline. She was also looking into a mixed services position to provide support for code
3 enforcement.

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5 Anderson asked who provided HR for the City. Manager Beaucaire stated that Ryan from COG
6 was helping her with HR.

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8 Conner noted Goal 1 of the State is to have a Citizens Committee, which Yachats has not had
9 since 1999. He suggested this type of group could fit with Manager Beaucaire's idea for a code
10 enforcement task force. Manager Beaucaire added that would fit well with a Council goal for
11 citizen engagement. Anderson suggested that there was possible conflict of objectives if the
12 Planning Commission was the citizen committee and wondered if that was why it had been
13 dropped.

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15 Manager Beaucaire stated TCB was willing to talk to the Planning Commission about how they
16 would operate.

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18 Anderson stated one of the biggest issues raised by citizens around lighting concerned trespass
19 lighting and light shielding. She provided several ways regulations around that could be
20 achieved. Manager Beaucaire stated the Commission should focus on the overall goal of the
21 lighting ordinance. Anderson stated health and safety issues were the primary reason. Orchard
22 also stated there was a nuisance issue around lighting. O'Shaughnessey added the desire for
23 movement toward dark sky compliance. Dickinson suggested the Commission could provide
24 educational information in the newsletter. Mattison stated new developments in some cities were
25 required to provide a lighting illumination plan.

26
27 Bloch asked Manager Beaucaire how the Commission could draft code that fit with the
28 expectations from a code enforcer. Manager Beaucaire indicated she was not certain of the
29 overall goal for lighting. She reiterated that whatever the Commission recommended should
30 pertain to the overall why of what they were proposing. Bloch assured Manager Beaucaire that
31 the Commission has kept education in the forefront of their discussions.

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33 Bloch asked if was possible to have a code enforcer use a light meter to measure trespass
34 lighting. Manager Beaucaire noted that this instance would require a person to go out after hours
35 to make that assessment. Conner and Anderson debated whether the current code adequately
36 defined and controlled light direction. Conner suggested developers were placing lights higher
37 in order to have fewer lights. Anderson indicated that neighbor to neighbor complaints about
38 lighting were pervasive. Mattison indicated he had complaints about lighting, and it took a lot of
39 time to find resolutions.

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41 Orchard clarified that the Commission goals were for health, safety, nuisance, and dark sky.
42 Manager Beaucaire indicated those were broad goals.

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44 Anderson stated she was still uncertain about what type of code to draft if there was not going to
45 be enforcement at night.

1 Manager Beaucaire indicated Matt Phillips would be leaving on February 14, 2020.
2 Commissioners indicated they had heard very favorable feedback about Phillips. Manager
3 Beaucaire indicated TCB knows they might need to talk to the Planning Commission, and given
4 Phillips' departure, she might have them provide services on a temporary basis.
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6 Conner asked about unenumerated nuisances as presented in the code and the City Attorney
7 indicating some part of the code was not enforceable. Conner indicated his concern was how an
8 issue got to Council.
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10 Anderson asked how the Commission were to interact with Justin Peterson, COG Planner.
11 Manager Beaucaire stated the Council of Governments (COG) will be hiring a coastal planner,
12 which has been advertised, who will provide two days of planning for Yachats, two days for
13 Waldport, and one day for Toledo. She indicated Peterson was going to all three communities to
14 become apprised of the projects and issues for each city, and he could assist with transition to the
15 new coastal planner. She indicated she has asked Mattison to stay on until the transition was
16 complete. Peterson indicated the position does not have a close date. Manager Beaucaire
17 indicated the City would also have access to other resources provided by COG.
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19 Bloch expressed great appreciation to Manager Beaucaire for her helping clarify the issues.
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21 Bloch suggested that Commissioners review the November Work Session minutes for the
22 summary of the public input on lighting.
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24 Bloch adjourned the work session at 3:02 pm.
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Lance Bloch, Vice-Chair

_____ Date

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31 Minutes prepared by H H Anderson on January 25, 2020.
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