



City of Yachats

YACHATS PLANNING COMMISSION

January 21, 2020

Work Session Approved 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

1 Anderson stated the Commission's review of Admin Policy 6 led to many questions
2 about how they interact with the Planner. MB indicated simple requests for copies. She
3 stated research requests or more involved request should be made by the entire
4 Commission. Anderson asked if the Commission could directly ask the Planner of if the
5 matter had to come to the Manager. MB indicated the Planner could ask her after the
6 meeting. She stated she was fine with the Commissioners reaching a consensus for
7 direction to the Planner during the Planning meetings. Anderson asked about questions
8 for the planner around interpretation issues and other matters of clarity. MB stated she
9 preferred to have questions addressed with the body as a whole. Mattison noted
10 Commissioners direct questions to the Chair and the Chair talks to the Planner.
11 Commissioners indicated they were fine with discussing questions during meetings or
12 asking the Chair.

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

23
24 Bloch asked if it would be appropriate to ask the Code Enforcement Officer for
25 information or if it would be better to have that person come to a meeting. Manager
26 Beaucaire indicated she favored having the Officer at a Planning meeting so everyone
27 could be party to the discussion.

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

1 Manager Beaucaire asserted there needed to be a balance between rules and flexibility.
2 She suggested more articles in the newsletter or starting a code enforcement task force.
3 Orchard clarified that the code enforcer plan was the City Manager's decision. Manager
4 Beaucaire added that the type of program for code enforcement was a matter of policy
5 from Council and the Commission.
6

7 Manager Beaucaire stated she was looking into TCB to do code enforcement services.
8 She noted they were currently doing code enforcement for Toledo and appeared to be
9 very proactive. She has asked for a proposal from TCB for two days per week onsite
10 service and the afterhours hotline. She was also looking into a mixed services position
11 to provide support for code enforcement.
12

13 Anderson asked who provided HR for the City. Manager Beaucaire stated that Ryan
14 from COG was helping her with HR.
15

16 Conner noted Goal 1 of the State is to have a Citizens Committee, which Yachats has
17 not had since 1999. He suggested this type of group could fit with Manager Beaucaire's
18 idea for a code enforcement task force. Manager Beaucaire added that would fit well
19 with a Council goal for citizen engagement. Anderson suggested that there was
20 possible conflict of objectives if the Planning Commission was the citizen committee and
21 wondered if that was why it had been dropped.
22

23 Manager Beaucaire stated TCB was willing to talk to the Planning Commission about
24 how they would operate.
25

26 Anderson stated one of the biggest issues raised by citizens around lighting concerned
27 trespass lighting and light shielding. She provided several ways regulations around that
28 could be achieved. Manager Beaucaire stated the Commission should focus on the
29 overall goal of the lighting ordinance. Anderson stated health and safety issues were
30 the primary reason. Orchard also stated there was a nuisance issue around lighting.
31 O'Shaughnessey added the desire for movement toward dark sky compliance.
32 Dickinson suggested the Commission could provide educational information in the
33 newsletter. Mattison stated new developments in some cities were required to provide
34 a lighting illumination plan.
35

36 Bloch asked Manager Beaucaire how the Commission could draft code that fit with the
37 expectations from a code enforcer. Manager Beaucaire indicated she was not certain of
38 the overall goal for lighting. She reiterated that whatever the Commission
39 recommended should pertain to the overall why of what they were proposing. Bloch
40 assured Manager Beaucaire that the Commission has kept education in the forefront of
41 their discussions.
42

43 Bloch asked if was possible to have a code enforcer use a light meter to measure
44 trespass lighting. Manager Beaucaire noted that this instance would require a person to
45 go out after hours to make that assessment. Conner and Anderson debated whether
46 the current code adequately defined and controlled light direction. Conner suggested

1 developers were placing lights higher in order to have fewer lights. Anderson indicated
2 that neighbor to neighbor complaints about lighting were pervasive. Mattison indicated
3 he had complaints about lighting, and it took a lot of time to find resolutions.

4
5 Orchard clarified that the Commission goals were for health, safety, nuisance, and dark
6 sky. Manager Beaucaire indicated those were broad goals.

7
8 Anderson stated she was still uncertain about what type of code to draft if there was not
9 going to be enforcement at night.

10
11 Manager Beaucaire indicated Matt Phillips would be leaving on February 14, 2020.
12 Commissioners indicated they had heard very favorable feedback about Phillips.
13 Manager Beaucaire indicated TCB knows they might need to talk to the Planning
14 Commission, and given Phillips' departure, she might have them provide services on a
15 temporary basis.

16
17 Conner asked about unenumerated nuisances as presented in the code and the City
18 Attorney indicating some part of the code was not enforceable. Conner indicated his
19 concern was how an issue got to Council.

20
21 Anderson asked how the Commission were to interact with Justin Peterson, COG
22 Planner. Manager Beaucaire stated the Council of Governments (COG) will be hiring a
23 coastal planner, which has been advertised, who will provide two days of planning for
24 Yachats, two days for Waldport, and one day for Toledo. She indicated Peterson was
25 going to all three communities to become apprised of the projects and issues for each
26 city, and he could assist with transition to the new coastal planner. She indicated she
27 has asked Mattison to stay on until the transition was complete. Peterson indicated the
28 position does not have a close date. Manager Beaucaire indicated the City would also
29 have access to other resources provided by COG.

30
31 Bloch expressed great appreciation to Manager Beaucaire for her helping clarify the
32 issues.

33
34 Bloch suggested that Commissioners review the November Work Session minutes for
35 the summary of the public input on lighting.

36
37 Bloch adjourned the work session at 3:02 pm.

38
39
40
41
42 _____
Lance Bloch, Vice-Chair

_____ Date _____

43
44 Minutes prepared by H H Anderson on January 25, 2020.
45