

CITY OF YACHATS

**JOINT SESSION
CITY COUNCIL AND LINCOLN COUNTY COMMISSION**

March 14, 2018

Approved Minutes

Mayor Gerald Stanley called the March 14, 2018 joint meeting of the City Council and Lincoln County Commissioners to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Greg Scott, and Max Glenn. Staff present: City Manager Shannon Beaucaire. Lincoln County Commissioners: Bill Hall, Terry Thompson, and Doug Hunt. Audience: 26.

I. Announcements, Correspondence, and Proclamations

Mayor Stanley postponed the agenda item for Reports to the April Council meeting. Mayor Stanley moved the Public Comment item to the end of the joint meeting. Councilor Glenn clarified the County Commission would hold its meeting following the joint meeting.

Commissioner Thompson noted this meeting is intended to be a discussion between the Council and the Commissioners and not a meeting for public input.

Lincoln County Commission Chair Doug Hunt announced they will follow the Lincoln County agenda order rather than the order listed on the Yachats agenda.

II. Public Comment – moved to end of meeting

III. Reports – postponed until April Council meeting

A. Council Reports

B. City Manager's Report

IV. Lincoln County Commission

A. Introductions

Commissioners and Councilors introduced themselves. Hunt noted the Commission holds these joint sessions in eight locations.

B. Marijuana Tax Revenue – Jess Palma & Rebecca Austin

Wayne Belmont, Lincoln County Counsel, stated Lincoln County Health is making this presentation across the county to address how to use the marijuana taxes. Their focus is on drug education, especially regarding youth. He noted this focus is solely on recreational marijuana, not medical marijuana. Belmont indicated if the City was interested in participating, he would follow up with the City Manager

Rebecca Austin, Lincoln County Public Health and Health and Human Services, noted survey results on high school students motivated them to focus on prevention.

Jess Palma, Lincoln County Health Educator, noted the handout presented data on youth in Lincoln County. Palma highlighted fifty percent of 11th graders have used marijuana, incidents of other drug use increases with marijuana use, one in five 11th graders use monthly, and the brain is still developing until age 25-26. She argued that the perception of risk with marijuana

1 use has gone down since the legalization of recreational marijuana. She asserted the benefit of
2 this proposal is that they can tailor the program to coastal communities.

3
4 Thompson asked for clarification on the specific recommendation regarding use of the tax.
5 Austin indicated they want to start a pilot project with some portion of the marijuana tax both
6 from the County and Lincoln County cities. Mayor Stanley suggested degrading a drug could
7 cause the credibility of the argument causes people to listen less. He asked about metrics
8 regarding effects on brain health. Stanley was against the use scare tactics. Palma indicated
9 scare tactic work in the short term but not long term. Thompson asked how much participation
10 is required from the cities. Belmont indicated they first want to establish a buy-in, and then they
11 would talk about percentage contributions. Councilor Frye asserted this program was a positive
12 idea, especially in the beginning of the legalization era. Frye suggested they incorporate this
13 program with school-based health programs.

14
15 Hunt summarized the history of collecting the tax and how the levels of revenue have not
16 stabilized. Thompson noted the cities receive more revenue than the County does. Scott noted
17 Yachats has yet to receive marijuana tax income so he did not think Yachats was ready to
18 participate. Beaucaire indicated the City has received \$2,700 due to the changes in law. Hunt
19 added that federal law has hindered funding for research.

20 21 **C. Future of Health Clinics in Yachats**

22 Belmont summarized developments in Health and Human Services since a change in
23 leadership and the work of a consultant. Belmont recognized a need for services in Yachats but
24 noted they are focusing on consolidation and issues with their current facilities, including
25 combining all areas of service into a single facility. Belmont stated they are not looking for
26 expansion at this point. Frye asserted that the consultant report did not understand the needs
27 of Yachats. Frye noted the federal government has identified Yachats as an underserved area,
28 and the County received federal HRSA grants. Stanley recalled there was an agreement in
29 2006 for adding healthcare in Waldport and Yachats. Glenn asked if the MOU was still in effect.
30 Austin stated they are focusing on their strategic plan now, and a south clinic might be a part of
31 that.

32 33 **D. Affordable Housing**

34 Belmont reported current efforts around housing are culminating in having another summit on
35 April 12, 2018 at 3:00 pm in Newport where they will identify challenges and opportunities.
36 Scott noted Portland has implemented new regulations around tiny houses. Scott stated he had
37 heard the County had been resistant about adopting codes around tiny houses. Belmont
38 explained the State did not adopt specific codes and instead instructed counties and cities to
39 develop their own standards if they did not want to follow the uniform building code focusing on
40 preventing fire, protect life, and ensuring safety. Al Ames, Lincoln County Planning Director,
41 noted there is no minimum building size, but there are standards for buildings to contain areas
42 for various activities such as toilets and kitchens. He indicated House Bill 2737 allowed for
43 some relief for tiny houses in areas such as staircases. Ames asserted the housing shortage is
44 escalating and affordable housing must happen within the City, not within the County.

45
46 Hunt indicated the problem might be one of a philosophy in planning. Thompson noted inflation
47 and increasing property costs are impacting affordable housing. Hunt suggested the current
48 issue in Portland is with accessory dwelling units (ADUs), not tiny houses. He cited a trend of
49 people building an ADU, moving into that building, and then renting the main house as a
50 vacation rental. Ames added the state legislature and the Department of Land Conservation
51 Development have recently created guidelines around ADUs, and Ames suggested jurisdictions

1 might soon be mandated to allow for ADUs within urban growth boundaries. He asserted
2 owners are using the ADUs to boost the vacation rental market rather than the affordable
3 housing market. Scott noted the urban growth boundary in Yachats is the city limits. Scott
4 clarified an owner could build a tiny house as long as county building codes are followed.
5 Commissioner Hall noted he was involved in work on expanding urban growth boundaries,
6 noting there is an expedited process for expansion in certain rural areas.
7

8 **E. County Permitting & Inspection Processes – Tiny Houses outside City limits**
9 Incorporated in Section D.
10

11 **F. Adoption of Legislation similar to Portland regarding Tiny Houses**
12 Incorporated in Section D.
13

14 **G. Pollinator Project**
15 Mayor Stanley summarized Newport, Waldport, and Yachats are participating in a pollinator
16 project from south end of the Yaquina Bridge to the south county line. Stanley asked the
17 County to advertise they are in support of the project to help people in Yachats understand the
18 flowerbeds along Highway 101 are owned by ODOT. Hall summarized his involvement with
19 other community partners and agencies. He added that ODOT just sent a proposed IGA for
20 review concerning the boundaries along the 101 corridor. Hall indicated the County's support
21 for the project would continue.
22

23 **H. Transportation to Florence**
24 Thompson reported Lane County is putting out an RFP for transportation. Hunt noted Lane is
25 leading the project, but Lincoln County is supporting the work. Stanley noted the other counties
26 that provide bus service outside of their county boundaries.
27

28 **I. Status of Ocean View Drive – Roy Kinion**
29 Roy Kinion, Public Works Director for Lincoln County, noted City Planner Lewis had sent a list of
30 questions for the County to address. Regarding physical improvements, the County will repave
31 the area from the State Park to 6th/7th Streets and apply a one-inch overlay of asphalt from the
32 State Park to Highway 101. Kinion added they would address any drainage issues prior to
33 paving, they will address the chain link fence, but they cannot rebuild the guardrail. He noted
34 that were they start work on the guardrail, they would be required to address the entire
35 structure. He added there might be a section of rail they could change out. Kinion asserted the
36 existing pedestrian paths would be a function of traffic flow decisions.
37

38 Regarding a timeline, Kinion stated he wanted to do the transfer before July 1, 2018 as they
39 have money in their budget. He added if they could keep the cost under \$50,000, they would
40 not have to do a full formal bid and that would expedite the process. Kinion indicated they
41 would paint the road black and install temporary centerline marks while the City configures
42 traffic flow. The County would stripe in August 2018. Kinion noted the direction of traffic flow in a
43 one-way area determines line colors.
44

45 Kinion stated the City could route delivery trucks down side streets or via alternative routes.
46

47 Belmont noted the City and County have discussed using easements rather than legalization,
48 and the County has received positive feedback from property owners on this approach. He
49 noted in 2006 when the County had plans to put in significant riprap, Oregon State Parks
50 objected and the Oregon Coastal Conservation Coalition sued the County. Belmont asserted

1 there would be no more additional riprap. He noted he gave Manager Beaucaire information on
2 the legal documents involved in the suit and appeal.

3
4 Mayor Stanley noted the State has mandated the City complete the 804 Trail, which likely
5 means part of road will become the trail. Mayor Stanley indicated the County might not need to
6 pave as much if this road were to become a trail. Belmont indicated he thought the City would
7 want a paved trail. Scott noted there is not agreement among the Council this issue, and he
8 does not want to walk on rock or gravel. Belmont stated the County is willing to work the City.

9
10 Belmont indicated they would continue the next legalization hearing.

11
12 **J. Public Comment**

13 Hunt noted they do not normally have public comment at work session.

14
15 Nathan Bernard (Yachats Farm Store) asked if there was a marijuana tax in Yachats. Scott
16 noted the tax the Council previously passed has been pre-empted by the State. Hunt suggested
17 the Mayor and City Manager discuss the matter with Bernard. Hall noted the County has tax of
18 3% only in unincorporated areas. Hall clarified that the State collects a 17% retail tax that is
19 portioned out to various entities.

20
21 Hunt adjourned the work session at 7:07 pm.

22
23 **V. Other Business**

24 **A. From Mayor** - none

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26 **B. From Council**- none

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28 **C. From Staff**- none

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30 Mayor Stanley adjourned the meeting at 7:44 pm.

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36 GERALD F. STANLEY, Mayor

37 ATTEST:

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41 _____
42 Shannon Beaucaire, City Manager

_____ Date