

1 City of Yachats  
2 **Planning Commission**  
3 Regular Meeting and Work Session Summary  
4 January 18, 2022  
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6 **Work Session began at 2:04 pm**  
7

8 **Present:** Loren Dickinson, Ariana Carlson, John Theilacker, Lance Bloch, Chair,  
9 Christine Orchard, Dayna Capron, Neal Morphis, Acting City Manager, Katherine  
10 Guenther, Linn West, Neal Morphis, Christine Orchard (2:28 pm); Hui Rodomsky, John  
11 Eyre. Absent, Jacqueline Danos  
12

13 **I. PARKING WORKSHOP UPDATE**

14 (1:24) Dickinson referred to an email from Evan Manville of DLCD and  
15 advised everything is moving along; looking to start in the late spring. He  
16 gave a short review for Theilacker. Discussion was had regarding getting this  
17 done before everything starts up again and then further discussion was had  
18 on area included in the project.

19 **II. HOUSING NEEDS ANALYSIS UPDATE**

20 (9:00) Danos is excused today but had advised that John Purcell might be  
21 able to answer any questions. Purcell was not present. Dickinson referred to  
22 the paperwork Danos sent and advised the study is moving along and  
23 modified the scope of the work due to budgetary concerns. Theilacker then  
24 indicated that Danos was referring to him and not Purcell. He gave a  
25 summary of what was happening. Theilacker indicated the City should get  
26 some good GIS mapping out of this project. Theilacker felt it would be good  
27 for the community to know this study is taking place as there have been many  
28 posts on the Yachats Community Page about housing.

29 **III. 2022-01-06 CITY COUNCIL MEETING REPORT**

30 (14:02) Bloch and Theilacker attended the meeting and Bloch presented what  
31 Council addressed regarding Planning. Council decided that at this time a  
32 tree protection ordinance was not the best of ideas. Theilacker continued to  
33 outline the discussion Council had.

34 (18:52) Discussion of Little Log Church and repairs versus rebuilding.

35 (20:15) Request for climate action and Styrofoam ban. Council declined to  
36 take action at this time.

37 (20:39) Charge letters to commissioners to improve communication. Council  
38 would like to improve communication between Commissions and Council.  
39 Council had discussion some of which will be further addressed in the CIC  
40 discussion.

41 (21:22) Ann Stott was elected the 2022 Council President.

42 (21:50) Council Goal Setting Session was on January 14<sup>th</sup> the various goals  
43 were discussed. Guenther said main focus was recruitment of a City Manager  
44 and staff for City Hall. She indicated the Council marked some 2021 goals off  
45 as completed, removed some and then added some; one being completion of  
46 the Local Wetlands Inventory and adoption by the State.

1 (23:26) Approval of the Volunteer Application of John Theilacker for the  
2 Planning Commission and it was approved unanimously.

3 (23:50) In old business Council discussed the Finance Committee and the  
4 City Manager position.

#### 5 **IV. CITIZEN INVOLVEMENT COMMITTEE DISCUSSION**

6 (25:49) Dickinson indicated that everyone on the Commission has their own  
7 ideas of what might be important but the Commission has been tasked with  
8 coming up with a recommendation to the Council. Dickinson asked each  
9 member to present a brief summary of their view on how the CIC should  
10 function.

11 (28:13) Bloch indicated the reason behind the formation of a CIC is due to  
12 State Oregon Goal 1 OAR 660-015-0000(1) that all municipal entities in the  
13 State of Oregon have a Citizens' Involvement Committee. He felt that  
14 Dickinson's 1/11/22 comments had very good points and felt the Commission  
15 could submit a good recommendation to Council working with these points.  
16 He then outlined Dickinson's suggestions. (1) Membership; (2) Who to report  
17 to (3) Scope of issues; (4) Scope of activities; and (5) Relationship to the  
18 Commissions.

19 (32:45) Dickinson referred to Danos' input as she is not present and that will  
20 be taken into consideration.

21 (33:02) Orchard indicated she would like to see the impetus of the CIC to  
22 come from the citizens themselves. She discussed her thoughts laid out in the  
23 document included in the meeting packet.

24 (34:40) Theilacker then highlighted his thoughts as presented in his document  
25 included in the packet. He indicated he also felt it should be made up of  
26 citizens and that their task(s) needs to be clearly spelled out.

27 (38:20) Dickinson outlined his written comments/clarifications also included in  
28 the meeting packet. He felt two different committees; one for Planning only  
29 and one for City wide.

30 (44:48) Morphis agreed with Dickinson and advised that Oregon State  
31 Ordinance refers to land use planning, etc.

32 (46:37) Rodomsky, Representative of South Coast Department of Land  
33 Conservation and Development (DLCD), then addressed the Commission  
34 She reiterated that Goal 1 of the State Ordinance is strictly planning and that  
35 anything other than that they would have no procedures or information to  
36 provide to formulate a city wide CIC. She went on to say that many  
37 communities have had an issue with a lot of staff time being used so to  
38 alleviate that these communities have just made the Planning Commission  
39 the CIC. She further indicated that she is unaware of any city or town on the  
40 south coast that has a CIC separate from the planning commission and so no  
41 city or town has two different CICs She restated at Dickinson's question that  
42 the CCI/CIC in Goal 1 is strictly related to land use.

43 (50:55) Discussion continued regarding having two CIC committees.  
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## Regular Meeting

### V. CALL TO ORDER

Chair Bloch called the meeting to order at 2:58 pm.

### VI. ANNOUNCEMENTS AND CORRESPONDENCE

(55:37) Received correspondence from John Eyre (?) he pointed out when talking about a body of citizens as an “any issue” type of CIC, not Planning Commission, there already was a group like that, the YAA, Yachats Action Alliance.

(57:47) Eyre was at the meeting and explained how the Alliance came to be and what their purpose is. He indicated he had contacted Rodomsky to do a series of seminars for the community based on the statewide planning goals and what they are; ways for citizens to effectively involve themselves. He indicated that the Alliance would advocate for a position but a CIC should be impartial so felt the need for two different groups.

(1:03:03) Orchard drew attention to the fact that all decisions made by the Planning Commission are made according to Code, not by what the Commission or the public may or may not like.

### VII. CITIZEN CONCERNS

(1:05:01) Orchard indicated that in January the Commission was required to elect officers. Discussion held. It was decided to do elections next month when it is officially on the agenda.

(1:07:33) Theilacker brought up an issue from the December meeting regarding Richard Ponting. Bloch was going to contact him and get back to the commission. Bloch indicated he sent Ponting an email and got no reply and then it slipped his mind so he has no further information for the Commission.

(1:08:50) Bloch suggested a change in the agenda by putting old business before new business. The commissioners agreed with the change.

### VIII. NEW BUSINESS

#### A. Discussion of Future Tasks

(1:42:07) Bloch mentioned the parking study might not happen for a few months and the housing needs analysis might not start until summer. He asked if everyone had a copy of tasks. He emailed it as an attachment. Since no one had a recollection of the attachment Bloch suggested putting this off until the next meeting. He will send out another copy. Orchard asked if he could just go over what was on the list; he started to but then advised it was too long and he would email the list again and it could be discussed at the next meeting.

(1:45:21) Guenther discussed what needed to happen next with the hedges, fences and walls item as it will be a code amendment. She further indicated that there is no database available right now to send information to all property owners and that is being worked on but that would take an enormous amount of staff time and right now it just can't happen.

(1:48:38) Dickinson brought up enforcement and writing code that is easily enforceable. Guenther advised that most enforcement is complaint driven.

1 (1:50:42) Theilacker asked about the wetlands mapping project and where it  
2 stands. Guenther advised that completing this will require funds from Council.  
3 Council has made it a goal to get it “across the finish line”.

#### 4 **IX. OLD BUSINESS**

##### 5 **A. Continued Discussion and Vote on CIC**

6 (1:09:38) Bloch began the discussion mentioning the five (5) points out of  
7 Dickinson’s comments. He highlighted the comments he had heard in the  
8 conversations and gave some personal input.

9 (1:15:15) Guenther wanted to clarify the role of the CIC in the quasi-judicial  
10 work of the Planning Commission. A CIC should not be discussing the pros  
11 and cons of a particular application, but it would be appropriate to educate the  
12 community on things such as the difference between a variance and a  
13 conditional use permit. Specifics of applications before the Commission  
14 cannot be discussed outside the public hearing.

15 (1:15:33) Eyre went over what he felt the CCI/CIC should be giving some  
16 examples such as monitoring items that the Planning Commission is  
17 responsible for i.e. the Comprehensive Plan being reviewed every five (5)  
18 years or advising the Commission of concerns of the community such as  
19 getting codes in place regarding franchise stores.

20 He summarized that if should be a monitoring committee, consists of three  
21 (3) to five (5) members, independent of the Commission but have a  
22 Commission member as an advisor, not a member. He suggested  
23 membership could come from organizations in the community, View the  
24 Future, The Chamber of Commerce, the Trails Committee. Members will  
25 need a working knowledge of State regulations, a working knowledge of  
26 Yachats code, Comprehensive Plan and zoning regulations.

27 (1:22:40) Theilacker indicated he agreed with much of Eyre’s presentation.  
28 He thought the City Planner would be a better choice to be the advisor of the  
29 CIC. He indicated that it could be construed as the CIC driving the Planning  
30 Commission’s work program for the year and he didn’t want that to be the  
31 case. The Planning Commission at the start of the year should indicate to the  
32 CIC projects they want to address and feed that to the CIC and get feedback  
33 from the CIC and community and take that input under advisement.

34 (1:24:29) Eyre agreed with Theilacker and also indicated the this CIC could  
35 be “borrowed” by other Commissions or the Council if they needed to get  
36 information out or educate the community on something.

37 (1:26:21) Rodomsky wanted to re-emphasize that a CIC not involve any  
38 quasi-judicial decisions. She wanted to make it clear that nothing could be  
39 discussed outside of public hearing.

40 (1:27:05) Bloch brought up how the YAA was formed and discussion ensued  
41 as to what a CIC would be doing. Guenther again addressed how the  
42 Planning Commission works, providing public testimony in writing or in person  
43 at a public hearing. Discussion continued on how to get the enthusiasm of the  
44 YAA Agate Point Land Use issue for a CIC.

45 (1:30:45) In further discussion Eyre indicated YAA wouldn’t want to be a part  
46 of a CIC because it would hinder their ability to take positions on various land

1 use issues and how a CIC could work with the YAA to make sure correct  
2 information is getting out.

3 (1:33:42) Rodomsky indicated she would be willing to talk to the rest of her  
4 department to see if others have information on a successful, operating CCI  
5 and how they are involved.

6 (1:34:35) Bloch asked what relationship the CIC would have to the  
7 Commissions. All commissioners agreed that the CIC was for land use issues  
8 only and therefore would only have a relationship with the Planning  
9 Commission.

10 (1:36:28) Rodomsky clarified further what a CIC could be involved in, i.e.  
11 housing analysis, parking studies, those are long range planning issues that  
12 are suitable for input. Quasi-judicial is current planning taking an existing  
13 code and applying to a specific property.

14 (1:37:16) Guenther continued the clarification that in a public hearing people  
15 might say they don't like that the Commission has to act on an application  
16 because of a certain Code. That would be something appropriate for the CIC  
17 to bring to the Commission to look at for a future code amendment.

18 (1:39:22) Bloch asked if a Commissioner would be willing to write up a  
19 summary of this discussion. There were no volunteers so Bloch said he  
20 would do it, Carlson said she would help. Thanks was given to Rodomsky and  
21 Eyre for their input in the discussion.

## 22 X. **PLANNER REPORT**

23 (1:54:28) Guenther advised she had hoped to have a year-end summary on  
24 building and land use activity. She will get it done because it is something she  
25 would like to have for reference. She has been playing phone tag with Jeff  
26 Webber who is the principal consultant for the Agate Point Project. There is a  
27 formal extension to not talk about it until February, nothing new has been  
28 submitted. She'll send an email to the Commission when she hears  
29 something. Last conversation was that they would hold off until the Wetlands  
30 ruling is received. She advised she really is not sure what Agate Point will  
31 bring to the table when they next meet.

32 (1:58:16) Orchard questioned all the new building going on. Guenther  
33 confirmed there is a lot of building going on and that some of them are  
34 actually permits issued before she became Planner. Discussion was held  
35 about Windsong and how it was plotted in 2005 and now there are several  
36 houses being built. Discussion held regarding a lot that needs to be  
37 addressed for erosion control. Guenther talked about contacting DEQ and  
38 Theilacker suggested Conservation District.

39 (2:03:19) Theilacker said Danos expressed curiosity if the RV park at Fireside  
40 was starting. Guenther said last she spoke to him he (Roslund) was  
41 considering a slight change to the approach it did not affect the City, just  
42 ODOT. She will check in with him.

## 43 XI. **OTHER BUSINESS**

### 44 A. **From the Commission**

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**B. From the Staff**

None.

Meeting adjourned at 4:09 pm.

Transcribed by Contractor, L.F. Barrett, April 5, 2022

DRAFT