

YACHATS PLANNING COMMISSION

September 18, 2018

Work Session Draft Minutes

Vice-Chair Ron Urban called the September 18, 2018 meeting of the Yachats Planning Commission to order at 2:00 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Mary Ellen O'Shaughnessey, Ginny Hafner, James Kerti, Shelly Shrock, and Lance Bloch. Absent: none. Staff present: City Planner Larry Lewis. Audience: 2.

I. Exterior Lighting – Trespass Light

Commissioner Anderson handed out a document on lighting. She explained that uplighting is light that shines above a 90 degrees horizontal plane to the light source, light that shines down into the desired area is useful lighting, light beyond the useful area shining into the street is glare, and light beyond that onto adjacent properties is trespass light. She noted some types of unwanted lighting could be minimized through shielding.

Anderson explained that cities typically define zones for different allowances of lighting. She noted the various associations - Green Builders Association, Dark Sky Association, and International Electrical Association – provide justification for regulating trespass light along factors, such as sleep habits, animal habits, impacts on oceans, and public safety. She indicated there were some examples of language used in code. She highlighted the last page, which gives examples of what the different intensities mean.

Anderson discussed the different ways light intensity is measured in terms of levels on a light meter.

Urban asked why the Commission was looking at this issue. Anderson indicated citizens have been complaining about lights. Urban reported he has researched different ordinances regulating light and some are extensive. Urban argued that the Commission may have tried to do too much too quickly with the sign ordinance, and suggested they move slowly and simply. He suggested language such as, "All outdoor lighting systems shall be designed and operated so that the area 20 feet beyond the property line of the premises receives no more than one-half of a foot candle of light from the premises lighting system" (City of Omar).

Commissioner Kerti reported that foot candle measures one foot away and lux measures one meter away.

Commissioner Bloch asked about how one would measure light from multiple sources on a given piece of property. Anderson suggested that trespass light incorporates all of the light sources on a property. Block wondered how street lights would impact the measurement, specifically how one would determine whether the light is coming from the street light or the property. Anderson believed the source of lights could not be disentangled, unless selected lights are turned off while measuring.

Kerti wondered how trespass lighting would be handled for signs that already exist. Anderson speculated that light could be treated in the same way that sound is. She wondered if the fact that lights are turned off and on would factor into how it is regulated. Urban noted the Commission could establish a time limit for people to bring lights into compliance. Kerti wondered if signs could be required to have dimmers, recalling that when he was investigating digital signs he noted some cities required that digital signs have some output control. Commissioners noted there was light

1 that stands out but does not necessarily make a neighboring property bright, such as the visibility
2 of the green Sea Note sign from properties south of the bridge.

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4 Commissioner Shrock inquired as to whether Dollar General had ever installed shielding on their
5 parking lights. Planner Lewis did not know if the Code Enforcer had gotten a response to his
6 request on the matter.

7
8 Urban suggested that the Commission needed to get a better idea of what citizens want the
9 community to look like before establishing some of these regulations. Urban indicated he did not
10 feel comfortable making some of the technical decisions around the lighting issues. Urban
11 believed that many decisions would be easier if the Commission had standards for how they want
12 the community to appear.

13
14 Anderson indicated she felt more comfortable with enacting code that is commonly used by other
15 jurisdictions. She noted she had told many people that the Commission would be addressing the
16 light issue after completing the sign ordinance. She speculated that the Commission would have
17 more complaints had she not told people the matter would be addressed.

18
19 Kerti asked if the Planning Commission had looked into Dark Sky compliance. Anderson recalled
20 the Commission did look at the model Dark Sky ordinance and felt the task was much bigger than
21 could be addressed without public involvement. She stated the Commission recommended to
22 Council that they have some type of educational program on Dark Sky compliance to get the
23 community on board with the concept before asking the Planning Commission to draft any
24 documents. Urban added that he has had several people approach him wanting to know more
25 about Dark Sky issues and suggested there are people in the City who want to look at the matter
26 more closely. Urban posited that there already are light limitations in the code that could be
27 enforced.

28
29 Hafner liked Urban's idea to add something to what exists that is simple and could be measured.
30 She believed an architectural committee could greatly support the work of the Planning
31 Commission. Anderson noted that she received possible indication that Drew Roslund from the
32 Overleaf would be interested on working on such a committee. Commissioners mostly agreed that
33 the Council would need to establish a basis to establish architectural committee to examine what
34 look the City wants.

35
36 Anderson noted the Council is currently unclear of their focus. She reported that all the work of the
37 Commission on ordinances did not get turned into Ordinance format before the City Manager left
38 town. The City Manager asked Anderson to just present what would be coming to the Council at
39 their next meeting. Anderson emphatically thanked Hafner for speaking to the Council about the
40 hard work of the Commission and the need for respecting the work of the Commission.

41
42 Anderson summarized some of the questions Councilors had for the Commission, such as
43 generating list of all items in the Comp Plan that do not have code written on that issue. Urban
44 noted the gravity of that request.

45 46 **II. Drift Inn Parking**

47 Urban asked Lewis about the Planning Commission's role in enforcing the type of issue that is
48 arising at the Drift Inn. Anderson noted this matter is relevant to Planning as it is a violation of a
49 conditional use agreement. Lewis indicated he had spoken with Linda Hetzler, Drift Inn owner, and
50 she would likely have to come to the Commission to discuss how she would add additional parking.
51 Lewis stated that the conditional use permit would have to be amended.

1 Anderson clarified that there was an issue around violating the existing conditional use permit
2 because required spaces in front of the old laundromat building had been removed. Additionally,
3 Anderson recalled the outdoor seating behind the Drift was not counted for required parking when
4 the original conditional use was made, and now more seating has been added. Anderson believed
5 there needed to be additional parking to accommodate this outdoor seating.

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7 O'Shaughnessey suggested that all communications be in writing.

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9 Hafner clarified that E 2nd Street parking was on-street, not off-street. Hafner noted there was a
10 sign on E 2nd near Prospect that indicates the spaces are Drift Inn parking. Commissioners
11 discussed parking in the area around the mobile home lot with off-street parking. Anderson
12 recalled in the original conditional use application, Hetzler was going to remove the mobile home
13 but was not required to do so to meet parking requirements, and later she decided not to remove
14 the mobile home.

15
16 Commissioners agreed to have Lewis invite Hetzler to the October Planning Commission meeting.

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18 Kerti asked if there were standards around the maneuverability of parking lots so that cars could
19 back out of a spot without having to trespass onto the street. Kerti noted the code indicates that
20 backing up was only required for lots of four or more spots (9.40.010(J)). Anderson recalled
21 backing up onto 101 was prohibited. O'Shaughnessey suggested the regulation might be from
22 ODOT. Commissioners agreed they wanted more information.

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24 Urban adjourned the work session at 2:59 pm.

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Ron Urban, Vice-Chair

_____ Date

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31 Minutes prepared by H H Anderson on October 11, 2018.
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