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**CITY OF YACHATS**  
**CITY COUNCIL SPECIAL MEETING**  
Civic Meeting Room, Yachats Commons  
July 8, 2014  
9:00 a.m.  
MINUTES

Mayor Ronald Brean called the special meeting of the City Council to order at 9:00 a.m. in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Sandy Dunn, Barbara Frye and Claudia Price. Audience: 50.

**I. Oath of Office – Claudia Price**

**II. Parking**

Brean briefly described the improvements in parking that the City has undertaken in the past few years, and he said that Linda Hetzler has approached the City with a proposal to share in the development of a parking lot on property she owns. The total cost of her project will be \$20, 000. If the City were to partner with her the City would then lease a portion of the space.

Frye said that since the parking “improvements” were made on East Second it has made walking or driving on that street unsafe and she does not think that would be a good place to have a parking lot. The street is already congested and people park their cars on both sides of the street even though they are not supposed to on the North Side. Parts of the road are crumbling because of the parking and delivery trucks block the streets at times.

Price said that she believes Hetzler will go ahead with her project even if the City does not participate. Perhaps something should be done to prevent people from parking on the North side of the street.

Code Enforcement Officer, Don Niskanen said that the No Parking sign had been knocked down. He gave it to Public Works and told them where it had come from, but it has not been reinstalled.

Brean said that he would talk to the Public Works Director to find out what can be done.

**III. Discussion Item: Possible Medical Marijuana Dispensaries Regulations**

Dunn said that she started looking at the zoning in town and realized that some commercial lots have actually been developed for residential use.

Dunn said that she and Price did some research and there are some regulations that the City could add to the State regulations. For example, the City could require that any dispensary be in the Commercial Zone with direct access to Hwy 101.

Dunn said the Council might want to evaluate the risk factor under SB 1531 for possible loss of Federal grant money if the City grants a business license to a dispensary since it is still illegal under Federal Law.

Price said that it is possible that the ballot measure will pass in November making recreational use legal, so the Council should be thinking about that when drafting the regulations.

Brean said that he would like to have the City Attorney attend a work session at which the Council can work on this issue.

1 Brean said that he will call the City Attorney to find out if he can attend the meeting in person or by  
2 conference call.

3

4 **IV. Consider Options: Transient Rental Standards**

5

6 Brean said that he does not believe the City is in trouble yet, but the City Council should ask now rather  
7 than later, when there is trouble.

8

9 Brean said that he believes a strong residential community is important to the health of the transient  
10 rental industry.

11

12 Brean said that there is a lot of fear out there that the City is going to pull the rug out from under their  
13 businesses. That is not going to happen.

14

15 Brean said that he would like the Council to have a conversation with the City Attorney about this, and of  
16 course have the Attorney review any proposed Code Amendment.

17

18 The City Council discussed possible options that could be used to strike a balance and maintains the  
19 character of the town.

20

21 Council talked about what the term "Transient Rental" means. It was mentioned that some are vacation  
22 homes that people need to rent in order to keep that home, and others are purchased or built  
23 specifically to be used as a transient rental – which are businesses.

24

25 Brean asked Tom Lauritzen to explain the proposal he submitted.

26

27 Lauritzen said that he believes that there are ways to mitigate the impact to the neighborhood through  
28 Transient Rental Controls, that could include a limit on the number of nights the home could be rented  
29 each year and making a transient rental a conditional use rather than a permitted use in residential  
30 zones.

31

32 Dunn said that if the number of days were limited most people would try to rent their homes during the  
33 summer months so that could mean that there would be fewer tourists in the off-season.

34

35 Lauritzen said that if an owner wants to rent their home more than the limit they could apply for a  
36 conditional use permit.

37

38 Brean asked Keith Perkins and Dave Rieseck to explain the proposal they submitted.

39

40 Perkins said that he and Rieseck are proposing that every property owner could apply for a transient  
41 rental license at the beginning of each year and if approved pay a \$500 fee. That fee could be offset up  
42 to \$400 by the amount of taxes collected – which leaves the current \$100 fee.

43

44 Perkins said that once someone gets a license they own the license as long as they pay the \$500  
45 annual fee. If that person does not want to continue renting their home they could sell the license to  
46 someone else.

47

48 Perkins described the annual renewal procedure as proposed and a process Council could use to  
49 review the number of licenses to be issued each year. Perkins suggested that each year the City would  
50 add 10 new licenses.

51

1 Rieseck said that homes that have more than four bedrooms resemble a business operating in a  
2 residential zone. So homes that have more than four bedrooms could be charged an additional fee of  
3 \$1000 for each bedroom over four.  
4

5 Scott said that whatever the Council adopts needs to be simple and easy to enforce.  
6

7 Scott said that the Yachats Database could be used to monitor the licenses. Fields that do not currently  
8 exist could be added.  
9

10 Dunn said that she thinks the City could limit transient rentals to four bedrooms. That would prevent  
11 people from building large homes specifically to rent.  
12

13 Dunn said that the City could also limit the number of licenses one owner can have. This would prevent  
14 people from buying multiple homes to rent.  
15

16 Dunn said that neither of these limits would be applied to current licenses, but would only be used for  
17 future applications and only in residential zones.  
18

19 Price said that she believes Dunn's proposal to limit the number of licenses any owner could have  
20 would address a lot of the Council's concerns for the future.  
21

22 Brean suggested that there could be different classes of license. One type of license could be for those  
23 owners that agree to rent their home 105 nights a year and other type of license for those that want to  
24 rent it more.  
25

26 Scott suggested that each Councilor should make notes about the elements or concepts they took from  
27 this meeting and options that they think would work then send them to Dunn so she can compile them  
28 for further Council review.  
29

30 Brean said that once the Ordinance has been drafted the City Attorney will be asked to review it and the  
31 Planning Commission may be directed to look at preparing some land use legislation, such as including  
32 transient rentals in the conditional use permit process.  
33

34 Scott said he thinks a Council Liaison should carry the Council's request to the Planning Commission.  
35

36 **V. Set the Agenda for the July 10, 2015 Meeting**  
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38 Council reviewed the agenda items for the July 10 meeting.  
39

40 There being no further business before the City Council, the meeting was adjourned at 11:00 AM.  
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46 Ronald L. Brean, Mayor

47 Attest:  
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Nancy Batchelder, City Recorder