

**MINUTES**  
**City of Newport**  
**Planning Commission Work Session**  
**City Hall Conference Room "A"**  
**Monday, July 25, 2011**

**Planning Commissioners Present:** Jim Patrick, Mark Fisher, Melanie Sarazin, Glen Small, Gary East, and Jim McIntyre.

**Planning Commissioners Absent:** Rod Croteau (excused).

**Citizens Advisory Committee Members Present:** Bill Branigan.

**Citizens Advisory Committee Members Absent:** Bill Branigan and Dustin Capri (both excused).

**City Council Liaison Present:** Dean Sawyer.

**Vacation Rental TAC Member Present:** Bob Berman.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Chair Patrick called the Planning Commission work session to order at 6:00 p.m. Jim McIntyre is returning to the Commission to fill the vacancy, and he was welcomed back. McIntyre expressed that he was excited to return.

**A. New Business.**

1. Review of a Draft Street Naming and Re-naming Ordinance. Tokos noted that what he had put in the packets was an initial draft of the street renaming ordinance. He said it is more involved than what the Commission discussed because if we are doing this, we might as well codify the ordinance for street naming and numbering so that it is all in one place in the code. This draft picks up Ordinance 665, which is how we go about naming and numbering streets as it is now and incorporates the concepts that Commissioner Small distributed in terms of street renaming. Tokos said that the reason we have this type of code is to make sure that we have a system that people can easily navigate. He noted that the provisions of this chapter apply to all properties within the city limits; but per the state statute for street renaming, we could extend that out six miles. He said we probably want to cross-reference it to the statute. Tokos noted that the next section talks about directional designations, and the next one about street suffixes. He said that these are out of Ordinance 665. The next section is about street names and is not in the ordinance. It sets out that the pattern is by decision of the City or as shown on the County Assessor's maps. Ordinance 665 outlines a lot, but in the absence of anything else, the County Assessor's map is what is used. Patrick thought that we were supposed to be naming streets alphabetically. Tokos said that is not in Ordinance 665 and is not followed uniformly. It was never codified, so that is why he didn't put that in here. Tokos noted that as far as street renaming, he wrote it a little differently because there are rare occasions when properties are annexed that we have to do a large street renaming; and he assumed the Commission wouldn't want the same process there. An extension of a public or private street continues the name of that street, and a duplicate name can't be used. Item 'D' under 'Street Names' captures that the practice is that a new street is named at the time it is platted. It can be done by a separate instrument, survey of the right-of-way and dedication documents. If outside a subdivision, the Council would have to do the naming at the time they accept the street. Under the 'Renaming Streets' section there are two options; by resolution of the City Council or by a petition process. Tokos said that he thinks that lines up with Small's suggestion. The petition would require signatures of 51% of affected properties and further signatures of no fewer than 100 eligible voters. The resolution of the Council could serve in lieu of that, and that is the avenue where mass street renaming would fall. The resolution or petition is to include a clear description of the street to be renamed. If it's in honor of an individual, a statement is needed as to why that individual is deserving of such an honor. Renaming will be a two-step process with public hearings before the Planning Commission and the City Council. Tokos said that he did roll in a first class notice as is normally provided for hearings. Notice would also be sent to the Fire Department, the Postmaster, 911, the County Surveyor, the County Assessor, and parties to the hearing. He picked up the newspaper publication requirements from ORS 227. Next, he listed some factors to provide some rationale for the Commission when weighing street renaming, which he pulled from other jurisdictions. These include: historical or geographical significance, street location or direction, common use of a name, prior use of a name, consistency, non-duplication. If the renaming is being proposed in honor of an individual, the requirements are that the individual must have been deceased for at least three years, the individual made contributions to the community, the cost is in the best interest of the City and will not cause undue hardship, and the cost can be borne by the City or the petitioner. Finally, there is a catch all of other circumstances. Sarazin wondered if there would be a filing fee for making this petition; and Tokos said that he thinks there should be and would be proposing one. Tokos said that item 'F' talks about the two-step hearing; and items 'G' and 'H' are about what happens once the renaming is adopted. He said this follows statute. Tokos said that the next section, 'Numbering Properties' has to do with how we assign numbers and picks that up out

of Ordinance 665. It explains where the dividing lines are in terms of starting at zero, how it breaks across blocks, how we assign even numbers to the south and east sides and odd to north and west sides, how we deal with short dead-end roads and with clustered buildings, and how we deal with it when it is unclear. He thought that is pretty straight forward. Tokos noted that when we do our address assignments, we do route it to agencies so they know we have assigned an address or changed a street number. He had included a copy of the form we use for that. The last section of the code discusses about where addresses are supposed to be placed on properties. There was brief discussion about posting numbers, and based on a suggestion, Tokos will change item number three to read "mailbox adjacent to building except for grouped mailboxes". He said he will put the ORS in there to make it clear. He noted that items 1-3 are per the ORS, item 3 applies to all, and for item 4 he will come up with something other; maybe just break it out separately. Tokos noted that the last amendment is because it cross-references with the subdivision code that will have to be cleared up. Tokos said that Ordinance 665 goes into archives since it is now being codified. Tokos said that if the draft code looks good, we can bring it forward for action. Because it's not a land use action, it can be brought back to the next meeting for hearing. Councilor Sawyer commended Small on all the work he has done. He thinks this will clear up what happened. This gives steps on how to do street renaming. Tokos noted that the code doesn't address renaming of public places, and Sawyer thought it would be nice if that could be thrown in as well. Tokos said that what we could do is put that in the Municipal Code and cross-reference it that for public places other than streets the procedure outlined in the street section would be followed. It would have to be located somewhere else where it makes sense. On the process, Tokos wanted to make it clear that the Council after receiving a recommendation from the Commission has one or two choices; either rename or by resolution they reject the proposal. He said there is some debate whether the statute requires it to be structured that way. He noted that is not how the procedure went last time. Tokos said that as you read the statute, the Council either follows the Planning Commission's recommendation or rejects it; they can't do something else. He said that ORS 227 strictly deals with street renaming. Tokos read the statute. Sarazin said that was her point of contention last time. The statute says the Commission either makes a recommendation or it dies. She said today's interpretation reflects what she thought was the process. Tokos said there are different thoughts on how that could be applied. Portland doesn't adhere to that statute. He said he wrote this ordinance following the statute. Fisher said that if the City Council wants to change what we are presenting to them, they have the power to do that. He believes that relieving the Council of political stuff is a plus for them. Sawyer said he likes the process. It goes through a vetting process first. Tokos said the city attorney may say this language can be interpreted that it allows the City Council to have that flexibility. The city attorney will need to review this ordinance, and he will get something in writing from her. Patrick suggested forwarding the code this way, and if the Council wants to change it they can. Fisher agreed. Tokos wondered if the Commission wanted to see a clause that covers all renaming. He said that with the 51% approval signatures, if it's anything like street vacations, petitioners will go to the City Council and see if they will do a resolution. Tokos said that for renaming of public spaces as opposed to streets, maybe we would use 10% or something. He said that public places may have to be drafted as a separate code, and Patrick agreed it would have to be in its own section.

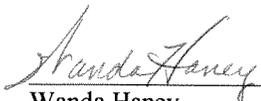
## **B. Unfinished Business.**

2. Discussion on outreach for the Vacation Rental code. Tokos noted that Berman was kind enough to give us a data base of VRBO, and we contacted all of those people and found out how many wanted to be kept in the loop. We have a good list of existing vacation rental owners and home owners associations. Tokos' concern is that gives us a pretty targeted viewpoint. We are not getting the other side. He said that we don't want to direct mail. He wanted to talk about how we might get this out so those who have concerns about vacation rentals are involved. Sawyer suggested putting flyers in the water bills. Sarazin said that the Commission had discussed contacting the News-Times and Dave Morgan. Berman wondered if we had gathered street addresses for those listed on the VRBO. He thought that knowing the distribution of vacation rentals in the various zones would be helpful. Tokos said that whatever we present is going to be with a caveat that this is not a guarantee that this is every vacation rental. Sarazin said that she thought we need to rely upon people to take the interest. Patrick said this will be a little like the geologic code update in that we will have to have a hearing to get their attention. Tokos proposed firing the process up with a workshop. Fisher said that he would love to avoid a two-decade long process like Lincoln City's. At some point we either finish or leave it alone. Patrick agreed that he would like to make one pass. Berman said the problem with this is that it is going to be 50/50. He said that is what they are facing in Lincoln City. He said he didn't know if there was any way to avoid that. Tokos asked the Commission if they wanted to be part of the workshop. Fisher thought the Commissioners need to be there and hear what people have to say. Patrick said to notice it as a workshop, and the Commissioners would be present. Tokos said he would probably pull the ad hoc group back in if they want to participate as well since the code was put together with their help. Tokos offered up September 12<sup>th</sup>, which is a regular meeting date, to hold a workshop instead of a meeting. He said that September 12<sup>th</sup> is clear of hearing items, so we will target for that date. Tokos said we will come up with the distribution on vacation rentals. He said we will pull in some management companies also. Tokos noted that Tracy Wiley of the ad hoc group had mentioned notifying the lodging association. Patrick said he would hit them and any unit owners, such as the Embarcadero unit owners and Vacation International. Tokos said that he expects opposition coming from not those that want to do vacation rentals but those not wanting vacation rentals to proliferate their residential area. The ad hoc group decided to just allow them in all residential districts with licensing standards, which is more lenient than the current ordinance. Patrick said that is why we have a workshop and see what people say. Tokos said this will be a large enough group that the workshop will almost have to be a presentation process where we will try to convey some background information and why we

are doing this by expressing that we have a broken code that is not enforceable. Some are properly licensed and some are not. At the workshop, we will walk through the concepts and spell out the process for moving forward. Tokos assumed the Commission would like to provide some opportunity for people to provide feedback before the public hearings. Tokos said we could set up for comments on the website. Patrick suggested breaking the code out in sections and put it on poster boards and allowing people to write down what they like or don't like. Tokos said we could start out with a presentation and then break out into stages with white boards and a Commissioner at each station. He said we will have an opportunity to talk about the structure of the workshop at the August 22<sup>nd</sup> meeting. McIntyre liked the idea of allowing comments on line. Berman said that whatever notice is used, it needs to be specific about how to get a copy of the proposed code. Tokos said that he could put the PowerPoint that was presented to the ad hoc group on the website too. Tokos said this is an opportunity to engage these folks and get them into a licensing program. Tokos summed up that he will see what we can do on water billing; we will hold a workshop on September 12<sup>th</sup>; in addition to contacting these folks, we will get them flyers; and we will contact the lodging association, the Embarcadero owners, and the Vacation International owners. Patrick suggested contacting the property managers and the realtors. Sawyer wondered if it would be worthwhile to contact the VRBO asking them if they would please forward the letter to anyone doing business in Newport. Tokos said we will contact Oregon Beach Vacations, one of the property managers; and will collect others at the workshop. Patrick wanted to see information on the website. He wants to get as much input as we can get before the hearing.

**C. Adjournment.** Having no further business to discuss, the work session meeting adjourned at 7:00 p.m.

Respectfully submitted,



Wanda Haney  
Executive Assistant