

January 22, 2019  
12:00 P.M.  
Newport, Oregon

## **JOINT CITY COUNCIL AND PLANNING COMMISSION WORK SESSION**

The Newport City Council met in a work session on the above date and time in Conference Room A of the Newport City Hall. In attendance were Allen, Sawyer, Hall, Jacobi, Botello, and Parker (arrived at 12:07 P.M.). Also in attendance were Planning Commissioners Hanselman, Berman, Patrick, and Croteau.

Staff in attendance was Peggy Hawker, City Recorder/Special Projects Director; Steve Rich, City Attorney; Gloria Tucker, Deputy City Recorder; and Derrick Tokos, Community Development Director (arrived at 1:20 P.M.).

Also in attendance were Ralph Busby, Michael Sydow, Martin Desmond, Michael Kerton, Wendy Engler, Mark Saelens, Carla Perry, Norm Ferber, and Mona Linstromberg.

### **DISCUSSION ITEMS**

MOTION was made by Hall, seconded by Jacobi, to excuse Goebel from the January 22, 2019 City Council meetings. The motion passed unanimously in a voice vote.

**Annual Schedule for holding City Council Work Sessions.** Hawker presented the discussion item. She said that Council consider shifting the regular time for the work sessions to the Friday following the regular Council meeting. The work sessions could continue to be scheduled at noon.

Hall and Botello indicated that Fridays will not work for them. Allen suggested planning the work session schedule ahead of time and adjusting each meeting to everyone's calendar. Jacobi and Botello said they preferred the work session occur on the same day as the regular session.

Parker suggested 2 P.M. or 3 P.M. for work sessions on Mondays of the City Council meetings. Allen said Nebel could provide a six-month calendar of work sessions so the Councilors could adjust their schedule accordingly.

The Councilors agreed to revisit the issue when Nebel returns.

**Interview of Applicants to Fill Four Budget Committee Vacancies.** The Council interviewed Berman, Desmond, Kerton, Sydow, and Busby.

**General Vacation Rental Dwellings Update.** Tokos explained the recommendations of the Vacation Rental Ad-Hoc Committee, Planning Commission, and staff for Vacation Rental Dwellings (VRDs).

Allen asked about the risk of potential litigation with the recommendation of a five-year phase out of VRDs in non-permitted areas of Newport. Rich said that the minimum phase out would be five years, and that the longer the phase out, the less the risk.

Allen said he was also concerned with the cost of enforcement of many of the recommendations. He said lowering the inventory of VRDs would also lower the revenue needed for funding the recommendations.

Botello asked if there were any programs that encouraged opening VRDs to homeless or low-income individuals during the time of the year when they are empty. Tokos said no programs like that exist and would be difficult to administer.

Allen reminded the Councilors that they could propose a policy based on all of the recommendations suggested, and did not have to select one set of recommendations over another.

Tokos asked if the Councilors were comfortable holding a work session on March 4, 2019 to narrow the recommendations the Council preferred, holding a public hearing on VRDs at the February 19, 2019 City Council meeting, and then holding a public hearing on the final form of the policies on March 18, 2019.

Allen recommended the Ad Hoc Committee attend the public hearings to provide input.

Perry asked if a moratorium could be enacted while Council continues the discussion on VRDs. Sawyer said he did not expect further delays in the process, and a moratorium would be too late to impact the situation.

Berman stated considering VRDs as commercial enterprises makes sense in limiting them to certain areas. He said the Planning Commission came to the consensus that a cap will not achieve the desired result of lessening the density of VRDs in neighborhoods.

Croteau noted while VRDs could be phased out of some areas, they would be allowed to increase in other areas.

Ferber said he considered VRDs as an outright use rather than a conditional use. He added that compromise was essential on the issue, and the Planning Commission achieved compromise.

Patrick added that regardless of the Council decision, code enforcement will be key. He noted that the issue would come before Council again if enforcement is not addressed.

Engler said she believed the Planning Commission's recommendation reflected the public's will.

Hanselman stated that he hoped Council would view the issue as a local issue with many VRD owners living out of town. He added while residents are supportive of the tourist industry, they do not want tourists in residential areas. He added that complaint driven enforcement of the code has failed.

Tokos reminded the Council they would need to declare any potential or actual conflicts of interest at the public hearing.

Hall asked why the enforcement has failed so far. Tokos reported that there is currently no centralized tracking system for complaints.

Council agreed that the schedule of work sessions and public hearings in February and March would work for them.

**Discussion of Applicants to Fill Four Budget Committee Vacancies.** Sawyer asked for the Council's thoughts on the applicants. Allen said Busby and Kerton stood out to him. Jacobi said she liked Kerton and Sydow. Parker agreed with Jacobi on Sydow. Bottello said she liked Berman's consistency. Sawyer said that makes four candidates. Allen suggested recommending Desmond as an alternate public member for the Audit Committee.

## **ADJOURNMENT**

Having no further business, the meeting adjourned at 3:05 P.M.