



## PLANNING COMMISSION REGULAR SESSION AGENDA

Monday, December 11, 2017 - 7:00 PM

Newport Recreation Center, Room 117, 225 SE Avery St, Newport, OR 97365

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The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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### 1. CALL TO ORDER AND ROLL CALL

### 2. APPROVAL OF MINUTES

#### 2.A Approval of the Planning Commission Work Session Meeting Minutes of November 27, 2017

[Draft PC Work Session 11-27-17.pdf](#)

#### 2.B Approval of the Planning Commission Regular Session Meeting Minutes of November 27, 2017

[Draft PC Minutes 11-27-17.pdf](#)

### 3. CITIZENS/PUBLIC COMMENT

*A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.*

#### **4. ACTION ITEMS**

- 4.A Appointment of a Representative to the Newport Vision 2040 Advisory Committee.**

#### **5. PUBLIC HEARINGS**

- 5.A File No. 7-MISC-17: Amendments to NMC Chapter 9.85 For Address Code.**  
[File 7-MISC-17.pdf](#)

#### **6. NEW BUSINESS**

#### **7. UNFINISHED BUSINESS**

- 7.A Advertisement for the Planning Commission's Vacation Rental AD-Hoc Advisory Committee**  
[Advertisement for Vacancies on VRD Ad-Hoc Comm.pdf](#)

#### **8. DIRECTOR COMMENTS**

#### **9. ADJOURNMENT**

# **Planning Commission Regular Session Agenda Item Report**

Agenda Item No. 2016-1878

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

## **SUBJECT**

Approval of the Planning Commission Work Session Meeting Minutes of November 27, 2017

## **Recommendation:**

## **ATTACHMENTS**

- [Draft PC Work Session 11-27-17.pdf](#)

**Draft MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall Conference Room A**  
**November 27, 2017**  
**6:00 p.m.**

**Planning Commissioners Present:** Jim Patrick, Lee Hardy, Bob Berman, Mike Franklin, Bill Branigan, Rod Croteau, and Jim Hanselman.

**PC Citizens Advisory Committee Members Present:** Karmen Vanderbeck.

**PC Citizens Advisory Committee Members Absent:** Dustin Capri (*excused*).

**City Staff Present:** Community Development Director (CDD) Derrick Tokos; Engineering Tech, Melissa Roman; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **New Business.**

- A. **Debrief on City Council Action on Vacation Rental/B&B Issue and Next Steps.** Berman gave an overview of the City Council meeting presentation of the PC recommendation letter. He noted that the CC recommended it go back to the PC to start the update process; recommended an ad hoc committee be appointed by the PC; moved for the PC to develop a process by initiating the legislative process; and turned down a moratorium. Tokos explained how the CC voted on the moratorium. He said that Councilman Allen requested the moratorium be addresses again at the next CC meeting due to the confusion on the motions. Branigan said that Allen said some vacation rentals (VRDs) were land use versus business. Tokos said that everything was in the land use code now. He said that Goebel wanted the VRD process completed in 120 days. Tokos explained the steps to do the update would take eight to nine months to complete. He explained that had noted CC gave suggestions for the PC on VRD updates.

Tokos reviewed the memo presented to the CC at the November 20<sup>th</sup> meeting that covered the schedule for completing the VRD update. He noted that interviews would have to be done to determine an advisory committee. Tokos said that Police Chief Malloy said he would volunteer to be on the AC as a representative of the Police Department. Hardy said input was needed from the administration concerning funding for enforcement. Berman said that in 2012 the AC only had two representatives from neighborhoods with grievances and wanted the next AC to have more of a balance of stakeholders. He also suggested the advertising include the time commitment required to be on the AC. Tokos noted that there would be a chance to do some joint meetings with the CC and PC. The PC thought the process was reasonable.

Patrick was worried that enough people would be found for the AC before the year was up. Tokos explained that advertising would happen in December with interviews in January. Hardy noted her concerns that building codes couldn't be enforced after the fact. She suggested looking at owner/management enforcement instead of visitor enforcement.

Tokos asked the PC to give their input on the categories of people who should be included in the AC. He said that the Fire Department should be represented as well. Patrick requested Building Official, Joseph Lease, speak to the PC at one of their meetings. Berman though the Community Service Officer should speak to the PC as well when they were hired. Croteau thought the spectrum on the last AC was sufficient. Branigan suggested including some CC members. Tokos suggested someone from the Chamber of Commerce. Hanselman was concerned that they would be more pro-tourism. Patrick said it wouldn't be hard to find representatives on the rental side but needed someone from the opposite side. He suggested there be a PC representative included. Tokos suggested sending out a letter to everyone who submitted a letter concerning the VRD update. The AC agreed. Croteau wanted to make sure that the AC members had something to gain in Newport and were local. Tokos suggested Norm Ferber. Vanderbeck asked if the goal was to not have any of the members of the last AC included. Tokos said no, they could be included. He said Cindy Reid said she who be willing to do it again. Tokos suggested Cathey Briggs. Branigan suggested Janet Webster. Patrick suggested having four members who were positive about VRDs, four members who were negative, a PC representative, the Police Department, and the Fire Department.

Franklin asked if the ad hoc meetings were open to the CC. Yes, as long as there wasn't a quorum present. Croteau said he could be a neutral AC member. Branigan thought that John Clark could give both perspectives. Tokos said he preferred there only be 11 AC members. Vanderbeck was concerned the City wouldn't be able to be neutral. Tokos said they would be careful not to say they were on a side and they would have different perspectives. Patrick suggested advertising and trying to recruit people for the AC. Berman suggested having a property management company representative on the AC such as Vacasa, Airbnb, or VRBO. Hardy suggested an insurance business representative on the AC to represent the legal liabilities of the property owner. Vanderbeck suggested a Nye Beach area representative on the AC. Franklin suggested someone from the R-1 zone, a PC member, the PD, the FD, three owners, and three VRD managers on the AC. Patrick thought the Chamber should be used as a liaison. Franklin suggested a school representative. Tokos disagreed and said they were not a part of the VRD issue.

- B. **Updated Tentative Planning Commission Work Program.** Tokos reviewed the updated Planning Commission Work Program. He pointed out that the PC would be revisiting the Nye Beach overlay in March so it didn't get convoluted with the VRD issue. Croteau asked what the next step was with the VRD issue. Tokos said there would be an advertisement for AC members, interviews in early January, and then meet in later January. Berman noted that March 12<sup>th</sup> was too early for the proposed amendments for the VRD ordinance. Tokos would change this.

- C. **Airport Master Plan Draft Amendments to Public Facilities Element of the Comprehensive Plan.** Tokos reviewed his memo describing the history and goals for the Airport Master Plan draft amendments. He noted that it needed to be incorporated into the Comprehensive Plan. Tokos reviewed the plan and the scope of the project. He introduced Public Works Engineering Tech, Melissa Roman, to the PC. She explained what was found in the analysis. She said that it was determined that crop planes would be phased out and there would be more business jets utilizing the airport. Roman explained that the faster planes would mean different safety zones for the runways. The Airport would plan for a C-2 classification environment and then be prepared for it when it happened. They would construct to the B classification and just plan for class C-2.

Branigan asked if the runways would be longer. Roman said only the safety zones would be larger. Hardy asked if the City had to purchase properties because of this. Tokos explained that abdication easements had been made to get air rights at certain elevations. Roman pointed out the protection zones on the map. She said the City was buying those properties and that 98<sup>th</sup> Street would have to move 10 feet to get out of the runway protection zone.

Branigan asked if there were any noise abatement issues. Roman had not heard about any. Tokos said that there were noise provisions in the code. Roman said that owners were concerned about the noise from business jets. She reiterated that the City would only be doing zoning, not construction. Berman said it was not feasible to get the commercial air service in Goal #6. Tokos said there was a general understanding that the Airport was not ready for commercial service but would like it when it was available. Roman said that the industry was always changing. She said they were focusing more on hubs and the commercial airlines don't like to have small commuters out. If they did get a commercial service, it would be on a smaller scale.

Berman asked how the focus on achieving financial stability was being managed presently. Tokos explained that they were saying they wanted to explore further regional funding. Franklin asked how in the red was the Airport's budget was. Roman said that the Airport and FBO were part of this consideration. She said the Airport took in about \$100,000 a year. It was hard to tell what the figures were because of maintenance costs and the how complicated the FBO was. Branigan asked if the Airport collected landing fees. No. Branigan asked if the Coast Guard paid fees. Roman said the Airport sold them fuel when their fuel tanks were down. Franklin asked what the benefit would be for the County to take over some of the operational costs and become a member. Tokos said that the businesses that were served through the airport were not specific to Newport proper. He said the Port would be interested at some point but they didn't have a fully developed conversation as of then. Croteau asked what FedEx was paying for at the Airport. Roman said they rent the building and buy fuel from the FBO. She said that Life Flight also rented office space and paid for fuel. Croteau asked how many planes could fit in the hangers. Roman said they were all full and there was a desire for more hangers.

Hanselman noted that Goal #2 said there was interest in doing seismic stability for the Airport by there was no cost or timeline listed. He felt it should be the first thing they did. Roman said that they were currently at the end of this study. Tokos noted that the FFA funding for seismic was underway.

4. **Director's Comments.** No Director comments.
5. **Adjournment.** Having no further discussion, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

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Sherri Marineau,  
Executive Assistant

# **Planning Commission Regular Session Agenda Item Report**

Agenda Item No. 2016-1879

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

## **SUBJECT**

Approval of the Planning Commission Regular Session Meeting Minutes of November 27, 2017

## **Recommendation:**

## **ATTACHMENTS**

- [Draft PC Minutes 11-27-17.pdf](#)

*Draft MINUTES*  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**Monday, November 27, 2017**

**Planning Commissioners Present:** Jim Patrick, Rod Croteau, Lee Hardy, Jim Hanselman, Bob Berman, Mike Franklin, and Bill Branigan.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos, and Executive Assistant Sherri Marineau.

**1. Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:01 p.m. On roll call, Commissioners Hardy, Berman, Croteau, Patrick, Hanselman, Franklin, and Branigan were present.

**2. Approval of Minutes.**

A. Approval of the Planning Commission work and regular session meeting minutes of November 13, 2017.

Croteau noted minor corrections to the minutes.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Berman to approve the Planning Commission meeting minutes with minor corrections. The motion carried unanimously in a voice vote.

**3. Citizen/Public Comment.** No public comments.

**4. Public Notices.** At 7:02 p.m. Chair Patrick opened the public hearing portion of the meeting by reading the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Croteau reported a site visit. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File No. 1-ADJ-17 (Continued).** Patrick opened the Public Hearing to continue testimony for File No. 1-ADJ-17. Tokos presented the staff report. He noted that he prepared the Final Order if the PC was in support of an approval. Tokos reported that 10<sup>th</sup> Street was substandard and was an item the City Manager would be reporting on to the City Council in December 2017.

**PROPONENTS:** Ralph Klein of Newport addressed the PC. He encouraged the PC to approve the hearing without delay.

**OPPONENTS:** Gene Nez of Newport addressed the PC. She asked if the hearing was approved, would it impeded the road improvement. Tokos said that there was no connection to the road improvement and it would be determined at another time.

Richard Dammier of Newport addressed the PC. He presented aerial photographs of the property. He said the surveyor put the stake 50 feet from Dammier's property line which he thought would make the adjustment a zero setback. Dammier said that the PC should wait to determine the adjustment to see what the City does with the street. He wanted the centerline determined before the adjustment was done. Patrick asked if Dammier had a survey of his own property. He said there was a survey done when he bought the house 30 years before and was in the deed. He said Klein's surveyor put in a stake 12 feet from the edge of the carport. Patrick said it might have been a reference mark. Dammier asked how the setback adjustment could be determined based off of 12 feet. Tokos said the stake on the property line would be used to verify the lot line when construction begins. Dammier thought the surveyor stake was 10 feet further into the road. He thought the surveyor messed up when putting in the stake resulting in Reid gaining an extra 10 feet. Dammier requested the PC wait until the street center point was determined before making a decision on setback lines.

Franklin asked if it was possible that the street was 50 feet wide. Tokos said no, it was a 60 foot right-of-way. Patrick asked for a clarification on what Klein was asking for. Tokos said they were looking for a garage setback reduction of eight feet, which would mean a setback of 12 feet. Berman asked if all of the deck would be covered. Tokos said that a portion of the bridge would still be exposed. Franklin asked of the ROW was in the middle of the bridge. Tokos said no, and referenced that Attachment "D" in the packet illustrated where it was placed. He noted that if the road was developed, it would be up to 36 feet wide, never 60 feet. The 60 feet was for utilities, sidewalks and other things that would be put in. Berman asked if the new road would be placed on the centerline. Tokos said it depended and many times it was based on things such as terrain. Dammier thought this was why the PC should wait until the road was developed. Tokos said if the PC approved the adjustment, they would be basing their decision on the submitted survey. Klein would be held to the survey and would have to prove the carport was 12 feet from the property line.

**REBUTTAL:** Ralph Klein of Newport addressed the PC. He said he met the requirements for the adjustment and asked the PC to approve. Croteau asked how long the structure was. It was 12 feet with some deck exposed. Klein said if the City wanted to build to 60 feet and pay him for an easement, he was willing to negotiate.

Hearing closed at 8:36 pm

Hardy had no questions or comments. Berman thought the street situation was unfortunate and hoped Public Works would analyze the situation and come up with something that would satisfy all the parties. He felt the applicant met the requirements and thought it should be approved. Croteau agreed. Franklin agreed and reiterated that Klein had an agreement to hold to the survey. Hanselman said it was unfortunate it couldn't be determined between 50 feet and 60 feet and felt the owner met the requirements. Branigan said he didn't have anything to add. Patrick said he wasn't sure what the PC was using as the rationale. He asked why they were considering a 40 percent setback when there were complaints about setbacks in Nye Beach. Tokos said it was a carport without a door or opening and not the same as a garage. Berman said the sole purpose was to protect the bridge. Patrick was concerned the carport would be turned into a garage. He said it would be a code violation and wanted it on record that the approval was just for a carport.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Branigan to approve File No. 1-ADJ-17 with conditions. The motion carried unanimously in a voice vote.

Franklin asked if the carport design would come to the PC for review. Tokos said it would not. Dammier requested a copy of the plans of what would be built. Patrick said he could look at it when Klein submitted the plans for a permit. Dammier requested a copy of the survey. Tokos said they would give him a copy of this along with a copy of the final order.

**B. File No. 6-Z-17.** Patrick called for the staff report for File No. 6-Z-17. Tokos presented the staff report. He noted that no public comments were submitted. Tokos said he wanted to be clear that there would not be a comprehensive plan change needed at that time but there could be one down the road as a City initiated change. He felt the criteria had been met.

**PROPONENTS:** Rich Belloni of the Lincoln County School District asked the PC if they had any questions. Berman asked if there were any structures across the crosswalk. Belloni said there was not.

**OPPONENTS:** There were no proponents present to testify.

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Franklin, to approve File No. 6-Z-17. The motion carried unanimously in a voice vote.

**5. Action Items.**

**A. Motion to Initiate Amendments to the Public Facilities Element of the Comprehensive Plan Related to the Airport Master Plan.**

**MOTION** was made by Commissioner Croteau, seconded by Commissioner Hanselman, to initiate amendments to the Public Facilities Element of the Comprehensive Plan Related to the Airport Master Plan. The motion carried unanimously in a voice vote.

**6. New Business.** No new business.

7. **Unfinished Business.** No unfinished business.
8. **Director Comments.** No Director's comments.
9. **Adjournment.** Having no further business, the meeting adjourned at 7:51 p.m.

Respectfully submitted,

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Sherri Marineau  
Executive Assistant

# **Planning Commission Regular Session Agenda Item Report**

Agenda Item No. 2016-1881

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

## **SUBJECT**

Appointment of a Representative to the Newport Vision 2040 Advisory Committee.

## **Recommendation:**

## **ATTACHMENTS**

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# **Planning Commission Regular Session Agenda Item Report**

Agenda Item No. 2016-1880

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

## **SUBJECT**

File No. 7-MISC-17: Amendments to NMC Chapter 9.85 For Address Code.

## **Recommendation:**

## **ATTACHMENTS**

- [File 7-MISC-17.pdf](#)

**PLANNING STAFF MEMORANDUM**  
**FILE No. 7-MISC-17**

I. **Applicant:** City of Newport (Amendments initiated by the Planning Commission on 6/12/17).

**Request:** The request before the Planning Commission is to review and provide a recommendation to the City Council on proposed legislative text amendments to Newport Municipal Code (NMC) Chapter 9.85 that require secondary addresses be numeric and clarify how odd and even address numbers are to be assigned.

II. **Findings Required:** This is a legislative action and there are no applicable criteria.

III. **Planning Staff Memorandum Attachments:**

- Attachment "A" – Proposed Ordinance
- Attachment "B" – Notice of Public Hearing
- Attachment "C" – Email from Peter Roina, Postmaster, dated 5/31/17
- Attachment "D" – Planning Commission Work Session Minutes for 6/12/17 and 10/23/17
- Attachment "E" – News-Times Article, dated 11/1/17

IV. **Notification:** Although this is a legislative action, it is not a land use regulation requiring advance notice to the Department of Land Conservation & Development pursuant to Oregon Revised Statute (ORS) 197.610. Notice of the Planning Commission hearing was published in the Newport News-Times on December 1, 2017. See Planning Staff Memorandum Attachment "B" (Notice of Public Hearing).

V. **Comments:** As of December 8, 2017, no comments were received from any of the affected parties.

VI. **Discussion of Request:** Proposed changes respond to a request from the Post Office to eliminate the use of letters as secondary addresses because they cannot be effectively read by their mail sorting software. Requirements for odd-even numbering have been corrected to acknowledge on the ground conditions and to ensure continuity as new subdivisions are constructed. Feedback from the Post Office on 11/2/17 noted that the proposal would allow odd-even numbers to flip sides of the street with new subdivisions, which would cause confusion. The language has been adjusted to prevent that from happening.

VII. **Conclusion and Recommendation:** The Planning Commission should review the proposed amendments and make a recommendation to the City Council on the request. The Commission recommendation can include suggested changes to the proposed amendments.



Derrick I. Tokos, AICP  
Community Development Director  
City of Newport

December 7, 2017

**CITY OF NEWPORT****ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE AMENDING CHAPTER 9.85 OF THE  
NEWPORT MUNICIPAL CODE (ORDINANCE NO. 665, AS AMENDED)  
RELATED TO STREET NUMBERING AND  
ASSIGNMENT OF SECONDARY ADDRESSES**

**WHEREAS**, Chapter 9.85 of the Newport Municipal Code sets out standards for naming streets and numbering properties within the corporate limits of the City of Newport, and the renaming of streets within six miles of the corporate limits of the city; and

**WHEREAS**, it is in the interest of the public health, safety, and welfare to have a uniform street naming and property numbering system to assist the general public in locating addresses, and to facilitate the effective provision of emergency services and deliveries; and

**WHEREAS**, Ordinance No. 665, as amended, has served this purpose effectively since it was adopted on June 1, 1964; and

**WHEREAS**, the Postmaster for the City of Newport has requested that the City amend its addressing rules to require numeric secondary addresses because alphabetic secondary addresses cannot be effectively read by their mail sorting software; and

**WHEREAS**, such request is a relatively minor change that does not unduly impact the City of Newport's property numbering system; and

**WHEREAS**, undertaking these amendments has also provided the City an opportunity to clarify its requirements for assigning odd and even address numbers to acknowledge, and better align with on the ground conditions.

**THE CITY OF NEWPORT ORDAINS AS FOLLOWS:**

**Section 1.** The above findings are hereby adopted as support for the Council's following amendments.

**Section 2.** Chapter 9.85, Street Naming and Numbering, is amended as shown in Exhibit "A."

**Section 3.** This ordinance shall take effect 30 days after adoption.

Date adopted and read by title only: \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sandra N. Roumagoux, Mayor

**ATTEST:**

\_\_\_\_\_  
Margaret M. Hawker, City Recorder

## Amendments to NMC Chapter 9.85, Street Naming and Numbering

(Note: Language shown with a double underline is added. Text in ~~strikethrough~~ is deleted.  
Staff comments, depicted in *italics*, are included for context and are not a part of the amendments)

## CHAPTER 9.85 STREET NAMING AND NUMBERING

### 9.85.010 Purpose

To assist the public, public safety, and emergency services providers, it is in the interest of the public health, safety, and welfare to have a uniform street naming and property numbering system.

### 9.85.015 Scope

The provisions of this Chapter shall apply to the naming of streets and numbering of property within the corporate limits of the City of Newport, and the renaming of streets within six miles of the corporate limits of the city.

### 9.85.020 Directional Designations

For the purpose of this Chapter, the urban area of the City of Newport is hereby divided into four sections having the directional designations, abbreviations, and dividing lines as listed herein.

The name or number of a public or private street within a section shall be preceded by the abbreviated directional designation of that section. The four sections are:

- A. "Northwest," abbreviated "N.W.," consisting of the area north of Olive Street and west of Pacific Coast Highway;
- B. "Northeast," abbreviated "N.E.," consisting of the area north of Olive Street and east of Pacific Coast Highway;
- C. "Southwest," abbreviated "S.W.," consisting of the area south of Olive Street and west of Pine Street, Cape Street, and Pacific Coast Highway; and
- D. "Southeast," abbreviated "S.E.," consisting of the area south of Olive Street and east of Pine Street, Cape Street, and Pacific Coast Highway.

### 9.85.025 Street Suffixes

Street suffixes shall be assigned to all public or private streets within a section as follows:

## Amendments to NMC Chapter 9.85, Street Naming and Numbering

- A. "Street" for streets oriented north-south or east-west;
- B. "Place" for dead-end streets or short, north-south oriented street segments;
- C. "Court" for dead-end streets or short, east-west oriented street segments;
- D. "Drive" for hillside curved streets;
- E. "Way" for diagonal streets;
- F. "Circle" for circular streets;
- G. "Lane" for short, narrow, curved streets;
- H. "Boulevard" for arterial routes; and
- I. "Highway" for regional routes.

### 9.85.030

#### Street Names

- A. The existing pattern of street names designated by decision of the city or, in the absence of such a decision, as shown on County Assessor's maps, is hereby established as the street naming system for the City of Newport.
- B. An extension of a public or private city street shall continue the name of that street.
- C. Except for the extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street.
- D. New public or private streets shall be named at the time they are platted as part of a subdivision or partition approved in accordance with the processes outline in Chapter 13.05 of the Newport Municipal Code. In the event that a public or private street is created independent of a subdivision or partition then the street shall be named by ordinance of the City Council.

### 9.85.035

#### Renaming City Streets

- A. An action to rename all or the portion of an existing street

## Amendments to NMC Chapter 9.85, Street Naming and Numbering

located entirely within the City of Newport shall be initiated by:

1. Resolution of the City Council; or
  2. A petition signed by 51 percent of the residents and businesses whose physical address would be impacted by the proposed name change. The petition shall further include signatures of support from no fewer than 100 eligible voters residing in the City of Newport.
- B. A resolution or petition initiating the renaming of a street shall include a clear description of the street or portion thereof that is to be renamed.
- C. If the resolution or petition to rename a street is in honor of an individual, then a written statement must be included describing why the individual is deserving of having a city street named in their honor.
- D. Following adoption of a Council resolution or the filing of a petition under 9.85.035(A), the Planning Commission shall conduct a public hearing on the proposed street renaming.
  1. Notice of the Planning Commission hearing on the renaming proposal shall be provided by first class mail, postmarked at least 20 days prior to the hearing to all of the following:
    - a. The residents and businesses whose physical addresses would be impacted by the proposed name change;
    - b. The Newport Fire Department;
    - c. The Postmaster having jurisdiction;
    - d. The Lincoln County Surveyor;
    - e. The Lincoln County Assessor
    - f. 911 emergency dispatch;

In the case of a proposed renaming initiated by petition, the individuals who signed the petition; and

Any person who has requested notice of the hearing.

Amendments to NMC Chapter 9.85, Street Naming and Numbering

2. Notice of the hearing shall be published in a newspaper of general circulation in the city at least once within the week prior to the week within which the hearing is to be held.
- E. The Planning Commission shall consider the following factors when making a recommendation on a street renaming proposal:
  1. Factors of historical significance related to persons, circumstances or events;
  2. Factors of geographical significance;
  3. Factors of street location, function or direction;
  4. Common usage of a name for the street or in the area;
  5. Prior use of the name for the street;
  6. Name consistency for a continuous route;
  7. Non-duplication of another street name; and
  8. Other circumstances that warrant consideration.
9. In the case of a proposal to rename a street in honor of an individual, the following conditions shall be met:
  - a. The individual made significant contributions to the betterment of the city and its citizens;
  - b. The proposed change is in the best interest of the city and will not cause undue adverse impact or hardship; and
  - c. The cost of the proposed change can either be reasonably borne by the city or assigned to the petitioner(s) as a condition of approval.
- F. Following the public hearing, the Planning Commission shall forward a recommendation on the proposed street renaming to the City Council.
- G. Upon receiving the Planning Commission's recommendation, the City Council shall hold a public hearing to take testimony on the proposed name change.

Amendments to NMC Chapter 9.85, Street Naming and Numbering

Notice of the hearing shall be provided as outlined in 9.85.035(D).

- H. After conducting a hearing, the City Council by ordinance shall either rename the street or streets or by resolution shall reject the renaming proposal. Certified copies of each such ordinance shall be recorded with the Lincoln County Clerk, and filed with the county assessor and county surveyor.
- I. An ordinance adopted pursuant to this subsection shall instruct the county surveyor to enter the new names of renamed streets in red ink on the county surveyor's copy of any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same.

**9.85.040 Renaming Streets Outside City Boundaries**

- A. Action to rename all or the portion of an existing street located outside the City of Newport's boundaries, but within six miles of its corporate limits shall follow the above procedures, with the exception that the City Council shall only consider renaming a street upon receipt of a recommendation from the Planning Commission that the proposed renaming is in the best interest of the city and the six-mile area, in conformance with ORS 227.120.

**9.85.045 Numbering of Properties**

The Community Development Department shall assign address numbers for buildings or property and shall maintain records thereof according to the following:

- A. The dividing line for street numbering within the City of Newport shall be as follows:
  - 1. Olive Street for all buildings numbered to the north and to the south;
  - 2. Pine Street, Cape Street, and Pacific Coast Highway for buildings numbered to the east and west.
- B. Beginning at the dividing lines, building numbers will be increased by 100 for each block distance. One number shall be allotted for every 10 feet of street frontage.
- C. Odd and Even—Even numbers shall be assigned to buildings or properties ~~on the southerly or easterly in a manner consistent with the numbering pattern in place for~~

Amendments to NMC Chapter 9.85, Street Naming and Numbering

adjacent or nearby properties located on the same sides  
of a public or private street.

- ~~D. Odd numbers shall be assigned to buildings or properties on the northerly or westerly sides of a public or private street.~~
- D. Numbering of dead-end public or private streets one block in length or less shall be consecutive odd or even numbers consistent with those on the same side of the connecting street.
- E. An address number shall be assigned for each property or building in separate ownership, possession or occupancy.
- F. Where buildings are clustered on a parcel or lot, a number shall be assigned ~~for the main to each building, or office, and all other buildings within the group shall be assigned individual numbers or letters by the owner.~~
- G. Suites within multi-tenant buildings shall be assigned numeric addresses by the property owner.
- H. In the event the building address number sequence exceeds the available numbers, a suffix "A," "B," "C," etc. may be assigned.
- I. An address number or numbers shall be assigned by the Community Development Director, or designee in conjunction with the application for a building permit, a land division, or upon written request of the property owner.
- J. In case of doubt or where a question arises as to the proper number to be assigned to any building or property, the Community Development Director, or designee shall decide the question and affix the number of each building or property.

*Staff: Proposed changes respond to the request from the Post Office to eliminate letters in secondary addresses. Requirements for odd-even numbering have been corrected to acknowledge on the ground conditions and to ensure continuity as new subdivisions are constructed. Feedback from the Post Office on 11/2/17 noted that the proposal would allow odd-even numbers to flip sides of the street with new subdivisions, which would cause confusion. The language has been adjusted to prevent that from happening.*

Amendments to NMC Chapter 9.85, Street Naming and Numbering

When the Community Development Director, or designee, assigns or reassigns an address to a building or property, the following notification is required.

- A. Notice of the address assignment or reassignment shall be provided within 14 days after assignment or reassignment and given to:
  - 1. The Postmaster having jurisdiction;
  - 2. The Lincoln County Assessor
  - 3. 911 emergency dispatch; and
  - 4. Local utility providers.
- B. In the event of an address reassignment, first class mail notice shall be provided to the property owner.

**9.85.055 Placement of Address Numbers**

- A. The property owner or owner's agent shall place the address number assigned by the Community Development Director, or designee, on a building or property at the earliest practical time. For new buildings, the address shall be placed within 30 days of occupancy.
- B. For buildings, numbers shall be placed on the door or door frame of the main entrance to the structure, or as near thereto as practical.
- C. Numbers may also be affixed as follows:
  - 1. On a sign on the property;
  - 2. On a mailbox adjacent to the building, except for grouped mailboxes; or
  - 3. In such other location as to be legible from the street.
- D. Address numbers shall be permanently affixed and treated such that they will not rust or corrode. Numbers shall not be less than three inches in height and shall comply with Title X of the Newport Municipal Code regulating signs.

*(Chapter 9.85 adopted by Ordinance No. 2019 on October 3, 2011; effective November 2, 2011.)*

**CITY OF NEWPORT  
NOTICE OF A PUBLIC HEARING**

The Newport Planning Commission will hold a public hearing on Monday, December 11, 2017, at 7:00 p.m. at the Newport Recreation Center in Room 117 to review and make a recommendation to the Newport City Council on File No. 7-MISC-17. The Postmaster for the Newport Post Office has requested an amendment to the Municipal Code of the City of Newport in order to adjust the addressing rules to require numeric secondary addresses instead of alphabetic secondary addresses. The hearing may include a report by staff, testimony from the applicant, proponents, opponents, other interested parties, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. Pursuant to ORS 197.763(6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department at City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, seven days prior to the hearing. The application materials and the applicable criteria are available for inspection at no cost or copies may be purchased for reasonable cost at this address. Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above).

*(Note: to be published once on Friday, December 1, 2017)*

**Sherri Marineau**

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**From:** Sherri Marineau  
**Sent:** Tuesday, November 21, 2017 1:21 PM  
**To:** 'dliulamaga@newportnewstimes.com'  
**Subject:** Notice of Public Hearing-Publish on Friday, December 1, 2017- File No. 7-MISC-17  
**Attachments:** File No. 7-MISC-17 Notice - PC -publish.doc

Dave,

Here is a Notice of Public Hearing that I need to have published once in your **Friday, December 1, 2017** publication.  
Please let me know if you need anything further.

Regards,

Sherri Marineau  
City of Newport  
Community Development Department  
169 SW Coast Highway  
Newport, OR 97365  
ph: 541.574.0629 fax: 541.574.0644  
[s.marineau@newportoregon.gov](mailto:s.marineau@newportoregon.gov)

**FRIDAY EDITION:**  
**5:00pm Tuesday**  
**Prior**

IT IS YOUR RESPONSIBILITY TO MAINTAIN CONTACT WITH YOUR ATTORNEY AND TO KEEP YOUR ATTORNEY ADVISED OF YOUR WHEREABOUTS.

(2) If you contest the petitions, the court will schedule a hearing on the allegations of the petitions and order you to appear personally and may schedule other hearings related to the petitions and order you to appear personally. IF YOU ARE ORDERED TO APPEAR, YOU MUST APPEAR PERSONALLY IN THE COURTROOM, UNLESS THE COURT HAS GRANTED YOU AN EXCEPTION IN ADVANCE UNDER ORS 419B.918 TO APPEAR BY OTHER MEANS INCLUDING, BUT NOT LIMITED TO, TELEPHONIC OR OTHER ELECTRONIC MEANS. AN ATTORNEY MAY NOT ATTEND THE HEARING(S) IN YOUR PLACE.

PETITIONER'S ATTORNEY: Holly Ferrioli, Assistant Attorney General, Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096. Phone: (503) 934-4400. ISSUED THIS 13th day of November, 2017, issued by: Holly Ferrioli #096244, Assistant Attorney General. N-17, N-24, D-01 (59-01).

or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626, d.tokos@newportoregon.gov (mailing address above). N-24, D-01 (61-01).

**PUBLIC NOTICE**

On November 1, 2017, an application was filed with the FCC for the transfer of control of Pensacola Christian College, Inc., the license of FM translator station K204CP, Toledo, OR, due to changes in its governing Board. K204CP broadcasts station WPCF(FM), Channel 208, Pensacola, FL, at 88.7 MHz on output channel 204 and operates with an effective radiated power of 0.062 kW from a location of 44° 38' 40" North Latitude, 124° 00' 52" West Longitude. N-24, N-29, D-01, D-06 (62-06).

**NOTICE OF SHERIFF'S SALE #17-1695**

On January 4, 2018, at the hour of 10:00 a.m. at the Lincoln County Sheriff's Office, 225 W. Olive St. Rm 203, in the City of Newport, Oregon, the defendant's interest will be sold, subject to redemption, in the real property commonly known as: 608 NW Estate Drive, Seal Rock, OR 97376. The court case number is 15CV05889, PennyMac Loan Services, LLC, plaintiff(s) vs. Kimberly C. Dahl, an individual; Andrew Alan Dahl, an individual; and all other persons, parties, or occupants unknown claiming any legal or equitable right, title, estate, lien or interest in the real property described in the complaint herein, adverse to Plaintiff's title, or any cloud on Plaintiff's title to the Property defendant(s). This is a public auction to the highest bidder for cash or cashier's check, in hand. For more details go to: <http://www.oregonsheriffsales.org/county/lincn/> N-24, D-01, D-08, D-15 (63-15).

**PUBLIC NOTICE**

City of Yachats is seeking proposals from qualified individuals or firms to operate the City's visitor center and provide marketing services for the City. Successful applicants will demonstrate an ability to provide all of the following: flexible and professional staffing of the visitor center; creative coordination of advertising; branding; promotions; marketing; and media support services. The selected consultant will implement portions of the City's Coordinated Marketing Plan, available on the City's website. Proposers shall have substantial experience with the following: 1) providing professional, effective communication services and visitor information; 2) devising, implementing and coordinating marketing campaigns and promotions; 3) developing and implementing local events tailored towards tourists and showcasing what the Yachats community has to offer; 4) coordinating with multiple parties to meet deadlines. Proposers shall provide one hard copy of proposer's proposal in a sealed envelope clearly marked: "Confidential: City of Yachats Visitor Center

org for a full copy of the RFP and Marketing Plan. N-24, D-01 (64-01).

**TRUSTEE'S NOTICE OF SALE**

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.771, the following information is provided:

1. PARTIES:  
 Grantor: MARK S. NESSEL and CINDY L. Nessel

Trustee: WESTERN TITLE & ESCROW COMPANY  
 Successor Trustee: NANCY K. CARY  
 Beneficiary: UMPQUA BANK

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

Parcel 1, PARTITION PLAT 1998-12, filed for record June 2, 1998 in Lincoln County, Oregon. TOGETHER WITH an easement for ingress, egress and utilities as set forth in Partition Plat 1998-12 filed for record June 2, 1998, in Lincoln County, Oregon.

3. RECORDING: The Trust Deed was recorded as follows:

Date Recorded: March 8, 2006 Recording No. 200603677  
 Official Records of Lincoln County, Oregon

4. DEFAULT: The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments to date in the amount of \$663.43 each, due the first of each month, for the months of April 2017 through September 2017; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE: The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$111,939.90; plus interest at the rate of 6.5000% per annum from March 1, 2017; plus late charges of \$110.85; plus advances and foreclosure attorney fees and costs.

6. SALE OF PROPERTY: The Trustee hereby states that the property will be sold to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Lincoln County, Oregon.

7. TIME OF SALE: Date: February 1, 2018 Time: 11:00 a.m.

Place: Lincoln County Courthouse, 225 W. Olive, Newport, Oregon

8. RIGHT TO REINSTATE: Any person named in ORS 86.778 has the right, at any time that is not later than five days before the Trustee conducts the sale, to have this foreclosure dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due, other than such portion of the principal as would not then be due had no default occurred, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed

trustee's sale may have been used in manufacturing methamphetamine, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

You may reach the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: [www.osbar.org](http://www.osbar.org). Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>. Any questions regarding this matter should be directed to Lisa Summers, Paralegal, (541) 686-0344. (TS #30057.30216). DATED: September 13, 2017. Nancy K. Cary, Successor Trustee, Hersher Hunter, LLP, P.O. Box 1475, Eugene, OR 97440. N-24, D-01, 08, 15 (65-15).

**LEGAL NOTICE OF ANTICIPATED BOARD VACANCY**

In anticipation of an expected vacancy for its Subdivision 2 board seat effective December 31, 2017, the Board of Directors of the Central Lincoln People's Utility District invites eligible candidates to submit letters of interest and/or resumes to fill the pending vacancy on the PUD's board. This is normally an elected office, the current term of which expires December 31, 2018. Candidates must be registered voters, or capable of being registered voters, residing in Subdivision 2—Central Lincoln-served territory in Toledo, north to the city of Siletz, and then northwest, including the city of Depoe Bay, and the communities of Otter Rock and Lincoln Beach. Subdivision 2 also includes a portion of the Bittler Precinct. Candidates must also have resided in Central Lincoln's District continuously for two years or more. Those meeting the above requirements, and who desire to serve the public as a Central Lincoln board member, are invited to submit letters of interest and/or resumes to the

TO THE DEFENDANTS: The Unknown Heirs and Devisees of Ann Blaire Clark, all other persons or parties unknown claiming any right, title, lien, or interest in the Property described in the Complaint herein; and OREGON DEPARTMENT OF HUMAN SERVICES, Defendants. Case No.: 17CV47016. SUMMONS BY PUBLICATION

TO THE DEFENDANTS: The Unknown Heirs and Devisees of Ann Blaire Clark, all other persons or parties unknown claiming any right, title, lien, or interest in the Property described in the Complaint;

IN THE NAME OF THE STATE OF OREGON, you are hereby required to appear and answer the complaint filed against you in the above-entitled Court and cause on or before the expiration of 30 days from the date of the first publication of this summons. The date of first publication in this matter is November 24, 2017. If you fail timely to appear and answer, plaintiff will apply to the above-entitled court for the relief prayed for in its complaint. This is a judicial foreclosure of a deed of trust in which the plaintiff requests that the plaintiff be allowed to foreclose your interest in the following described real property: 3560 SE Fleet Avenue, Lincoln City, Oregon 97367 (the "Property") and is legally described as Lot 18, Block 10, Spyglass Ridge, County of Lincoln, State of Oregon. A lawsuit has been started against you in the above-entitled court by UNITED STATES OF AMERICA, acting through the Rural Housing Services or successor agency; United States Department of Agriculture. Plaintiff's claims are stated in the written complaint, a copy of which was filed with the above-entitled Court. You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal document called a "motion" or "answer." The "motion" or "answer" (or "reply") must be given to the court clerk or administrator within 30 days of the date of first publication speci-

against the estate are required to present them, with vouchers attached, to the personal representative at 1225 SW Pine Rd., Port Orchard, WA 98367 within four months after the date of first publication of this notice or the claims may be barred. All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the personal representative, or the attorneys for the personal representative, Brian Haggerty, OSB #980588, Minor, Bandonis & Haggerty, P.C., PO Box 510, Newport, OR 97365, (541) 265-8888.

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LINCOLN**

UNITED STATES OF AMERICA, acting through the Rural Housing Services or successor agency; United States Department of Agriculture, Plaintiff, vs. UNKNOWN HEIRS AND DEVISEES OF ANN BLAIR CLARK, deceased; all other persons or parties unknown claiming any right, title, lien, or interest in the Property described in the Complaint; and OREGON DEPARTMENT OF HUMAN SERVICES, Defendants.

Case No.: 17CV47016. SUMMONS BY PUBLICATION

TO THE DEFENDANTS: The Unknown Heirs and Devisees of Ann Blaire Clark, all other persons or parties unknown claiming any right, title, lien, or interest in the Property described in the Complaint;

IN THE NAME OF THE STATE OF OREGON, you are hereby required to appear and answer the complaint filed against you in the above-entitled Court and cause on or before the expiration of 30 days from the date of the first publication of this summons. The date of first publication in this matter is November 24, 2017. If you fail timely to appear and answer, plaintiff will apply to the above-entitled court for the relief prayed for in its complaint. This is a judicial foreclosure of a deed of trust in which the plaintiff requests that the plaintiff be allowed to foreclose your interest in the following described real property: 3560 SE Fleet Avenue, Lincoln City, Oregon 97367 (the "Property") and is legally described as Lot 18, Block 10, Spyglass Ridge, County of Lincoln, State of Oregon. A lawsuit has been started against you in the above-entitled court by UNITED STATES OF AMERICA, acting through the Rural Housing Services or successor agency; United States Department of Agriculture. Plaintiff's claims are stated in the written complaint, a copy of which was filed with the above-entitled Court. You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal document called a "motion" or "answer." The "motion" or "answer" (or "reply") must be given to the court clerk or administrator within 30 days of the date of first publication speci-

at (800) 452-7636 is summons is published pursuant to ORCP 7D(6), GHANDOUR LAW, LLC. Published: November 24, 2017, December 01, 2017, December 15, 2017. Rima I. Ghandour, OSB No. 020513, rima@ghandourlaw.com, Attorney for Plaintiff, N-24, D-01, D-08, D-15 (68-15).

**CITY OF NEWPORT NOTICE OF A PUBLIC HEARING**

The Newport Planning Commission will hold a public hearing on Monday, December 11, 2017, at 7:00 p.m. at the Newport Recreation Center in Room 117 to review and make a recommendation to the Newport City Council on File No. 7-MISC-17. The Postmaster for the Newport Post Office has requested an amendment to the Municipal Code of the City of Newport in order to adjust the addressing rules to require numeric secondary addresses instead of alphabetic secondary addresses. The hearing may include a report by staff, testimony from the applicant, proponents, other interested parties, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. Pursuant to ORS 197.763(6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department at City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, seven days prior to the hearing. The application materials and the applicable criteria are available for inspection at no cost or copies may be purchased for reasonable cost at this address. Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above). D-01 (71-01).

**NOTICE TO INTERESTED PERSONS**

Notice is hereby given pursuant to ORS 113.155 that the undersigned has been appointed and has qualified as the personal representative of the ESTATE OF MICHAEL IVAN STEEN-KOLK, DECEASED, Lincoln County Circuit Court Case Number 17PB07301. All persons having claims against the estate are hereby required to present the same, with proper vouchers, within four months after the date of first publication of this notice, as stated below, to the personal representative at PO Box 1768, Newport OR 97365 or they may be barred. All persons whose rights may be affected by the proceedings in this

12/11/17

## Derrick Tokos

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**From:** Roina, Peter L - Newport, OR <Peter.L.Roina@usps.gov>  
**Sent:** Wednesday, May 31, 2017 4:51 PM  
**To:** Derrick Tokos  
**Cc:** Woodbridge, Randy - Newport, OR  
**Subject:** Secondary addressing ordinance request

Dear Mr. Tokos,  
Thank you for your quick response to my inquiry today.

I would like to express my concern with the current Newport ordinance that does not require numerical secondary addressing.

The United States Postal Service uses high speed machinery to process packages, flats and letters. For the most part secondary addressing does not affect package and flat processing, unless two different routes would share a particular primary address. However, our letter sorting machine sorts approximately 97% of our letters directly to the delivery routes in delivery sequence. The Delivery Point Sequencing (DPS) machines cannot read alphabetical secondary addresses. Numerical secondary addresses are read easily and allow for streamlined processing. The alphabetical secondary address mail that is unreadable by machines has to be physically sorted by processing clerks from both the origination plant, the destination plant, and our local office, as well as by the carrier who delivers it. I am sure that you can see the added overall expense of each mailpiece, but also the likelihood of a sorting error somewhere along the way which would delay the mailpiece.

I am not requesting that existing addresses be change, just requesting that all new addresses use numerical secondary addressing.

I thank you very much for your time thus far and any future assistance you can provide.

Please feel free to contact me directly if you have any questions or concerns.

Cordially,

*Peter Roina*

Postmaster  
Newport Post Office  
(541) 574-6746  
 UNITED STATES  
POSTAL SERVICE

**MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall Conference Room A**  
**June 12, 2017**  
**6:00 p.m.**

**Planning Commissioners Present:** Jim Patrick, Bill Branigan, Lee Hardy, Jim Hanselman, and Rod Croteau.

**Planning Commissioners Absent:** Bob Berman, Mike Franklin (*excused*)

**PC Citizens Advisory Committee Members Present:** Dustin Capri, and Karmen Vanderbeck

**City Staff Present:** Community Development Director (CDD) Derrick Tokos, and Executive Assistant Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 7:00 p.m.

2. **New Business.**

A. **Potential Amendments to NMC Chapter 9.85.045 – Numbering of Properties.** Tokos reviewed the Amendment. Hardy asked if the amendment was just Lincoln County. Tokos assumed it was national but he did not ask the question. Tokos explained that there would need to be an amendment to the code. Hardy asked about the preexisting addresses. Tokos explained they would stay as they are.

Hanselman said he lives with this all the time and a change wouldn't make any difference to what he is dealing with now. It wasn't a problem when there was just one postman delivering to address. Different mail deliverers won't do sorting in their truck beforehand. He is concerned that when mail is mistakenly put in someone else's box and that person has stopped getting mail, there could be a delay. The delay could be a problem when it comes to receiving bills and important documents.

Tokos said he could have Riona attend a meeting so the PC could ask questions. The PC would like him to come. Hardy suggested researching why the US Postal Service isn't willing to invest in updated software. Tokos suggested initiating this and having a visit from Riona. Building Official, Joseph Lease, does the addressing now. Tokos to check with him on this and find out if there are other target tweaks as well. Patrick requested that Tokos talk to the Fire Department as well. Tokos explained that there will need to be a motion to initiate it.

3. **Unfinished Business.**

A. **Draft System Development Charge Methodology and Construction Excise Tax Proposal.** Tokos discussed the new SDC methodology. There will be a hearing in June for the PC then one in August for the City Council. Tokos shared out printed maps with the PC of the master plan projects. By looking at the list, trimming down the projects, and looking at growth projections, the Advisory Committee was able to get reductions in SDCs. There was a request to play around with discounts at the last meeting. Current methodology has a 50% discount for Parks and a 90% discount for Transportation. The AC wanted the discounts averaged out across the board. Water, Sewer, Transportation and Parks are now at a 45% discount.

Tokos shared out discount breakdowns with the PC. He cautioned the PC about credits on developed areas. There are few that aren't developed for retail. A 20% trip discount was provided for the Bayfront, Nye Beach, City Center and Wilder areas because that is where there is more pedestrian traffic moving from venue to venue. Croteau asked how discounts compare to other jurisdictions. Tokos pointed out that on the end of the methodology on page 333, there are comparisons. He said that we are switching to square footage instead of ADUs. Garages would be accessory structures and wouldn't be adding impervious surfaces because it is underneath the living area.

Hanselman asked if there was a difference between sewer and water lines for residences. Typically, you are looking at a 5/8th or 1-inch meter. We wouldn't typically do a meter distinction. FSC Group did research to support breaking it out with smaller homes having less impact. While the per square foot cost is higher for a smaller home, they will pay less than larger homes. In general, SDCs will be lower. It means that residential additions will get caught and charged SDCs. Patrick asked about if this applies to remodels. If they are not adding to the square footage, it would not. If they are converting a garage, they would be charged. Tokos to share a calculator with the PC.

Capri had concerns with apartment costs. Tokos explained that overall, SDCs will be lower. Warehouses will go up in party with the changes in transportation. Patrick asked if the discount on the Bayfront applies to restaurants. Tokos explained that appendix D-2 lists these. It is a 20 percent factor. Tokos shared out Exhibit "3" pertaining to apartments. He encouraged the PC to share their thoughts with the CC on methodology.

Hanselman had trouble with the methodology based on square footage of a home. Tokos reminded that there are many different types of fees for different purposes. The SDCs are more for new builds and are intended to get a little bit of review in as growth occurs so the entire burden doesn't fall on existing residents. Hanselman asked why the rates aren't the same for everybody. Tokos explained that affordability is in question. This seems to be a way to address equity issue and helps with accessory units. Capri explained that 90 percent would pay less.

Tokos shared handouts that represented the changes since the PC received their packets for the meeting. He noted the "New D-1". Universities and community colleges have been combined. The cost for square footage for community colleges came out really high, so they were combined. Pass by trips were added for offices. It says that 80 percent are going directly to the office only and 20 percent are doing something in addition. There is a clear justification to go with the 80/20. A discussion ensued regarding trip generation percentages.

Capri pointed out the figures for nurseries and garden centers. Tokos to check in with FSC Group on this. Branigan said the 936-937 doesn't make sense. Tokos said it should be with drive-thrus and he will adjust.

Tokos pointed out that apartments get a 25% pedestrian/transit factor and felt it was reasonable as there are designated transit stops there. Patrick felt the pedestrian/transit factor is low for senior and assisted living. Tokos said some of this was factored into the initial numbers.

Capri asked why 710 and 719 are different. Tokos said it should 80/20. Capri noted that the post office sounded weird, and the building supply should be different than general retail. He suggested getting rid of nurseries and building/lumber store as they are retail. Tokos said if it is not an issue, we should keep it so it ties to ITE and original trip generation rate. This makes it defensible.

Tokos cover code changes with the PC. The first change is in exemptions. Apartments and assisted living are still being assessed on an ADU basis. Manufactured homes are deleted. SDCs for seasonal basis, including patios and deck seating, were never changed at any time. There were changes to credits for impervious surfaces. We have to give credits for public improvements. There was an addition that credits will go away in 10 years. The 30 year look back provision is too far. Patrick asked about the transfer for capital improvements. Tokos used the Tap House as an example. Money collected for water cannot be spent on a transportation project. It has to stay in the same category. Capri asked if you could defer a credit for a future project. Yes, but you have to use it within 10 years.

Tokos explained the City did credit certificates before the current SDCs went into effect. It is 10 years down the road now and we need to address it. Page 11 address the language. It says they have until December 31, 2020 to use credits or they go away. Tokos said the City will try the methodology on page 12. We do not have aerials and they aren't that dependable. Developers will need to prove they paid SDCs or the impervious surface existed as of January 1, 2008. A discussion ensued regarding driveways and impervious surfaces.

#### **4. Adjournment.** Having no further discussion, the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Sherri Marineau,  
Executive Assistant

**MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall Conference Room A**  
**October 23, 2017**  
**6:00 p.m.**

**Planning Commissioners Present:** Jim Patrick, Lee Hardy, Bob Berman, Mike Franklin, Bill Branigan, Rod Croteau, and Jim Hanselman.

**PC Citizens Advisory Committee Members Present:** Dustin Capri, and Karmen Vanderbeck.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.

2. **New Business.**

A. **Draft Amendments to Chapter 9.85 Addressing Code (requested by Post Office).** Tokos reviewed changes to the amendments. Croteau noted changes to the document: 1) Add "D" in Section 9.85.020; and 2) Align "B & C" text in Section 9.85.025. Tokos reviewed changes to Section 9.85.025(C)(D)(G)(H). Croteau asked about the "A, B, C..." suffix. Tokos said in rare circumstances where there isn't room for another address number, a letter "A, B, C..." would be added at the end of the address. The Post Office didn't want "Suite" assigned to addresses. Tokos said there was a general grid the City followed for addressing. He asked the PC for concerns. None were heard.

B. **Update to Interim Environmental Protections FEMA ESA Litigation.** Tokos gave an update on the litigation. He said that FEMA was under a settlement agreement. They would be obligated to require local jurisdictions to ensure the properties were elevated above the flood plain and would require property developed in the floodplains to do habitat restoration. April of 2018 would be the date to figure out what to do, not the starting date of the enforcement. Capri asked how it impacted the Flood Map update. Tokos said it didn't as it was something different. He said everything would be finalized in the middle of 2018.

Tokos noted that there was one appeal that was happening in South Shore. Branigan asked if OSU was a part of it. Tokos explained that they were not because they weren't in the floodplain. Patrick asked what the downside of not doing anything would be. Tokos explained that it was just an update and the PC didn't need to do anything. Franklin asked what requirements would be coming. Tokos thought there could be requirements to provide better habitat. Franklin asked why there wasn't a consensus up and down the coast. Tokos didn't know what the angle was on the litigation. He noted that the litigation in Washington did not have a win.

C. **Draft Recommendation to City Council on Vacation Rental/B&B Next Steps.** Tokos presented a PowerPoint slide show on the recommendation. Concepts and rationale were covered. Berman noted that the Airbnb agreement was not included in the packet. He was concerned they were not paying room taxes. Tokos explained that Airbnb was not something the City could audit presently and they were refusing to provide information to tie the room tax amounts with specific units. Franklin asked if the City could require Airbnb to provide this. Branigan said some cities have required this. Patrick asked how much money has been collected from Airbnb. Tokos didn't know the specifics and would find out. Berman wanted the PC to look at the agreement. Tokos said enforcement could be pointed out in the recommendation letter.

Berman was concerned about safety issues of VRDs and timeshares. Tokos noted that timeshares were an issue and he was working on getting the Schooner Landing done. Croteau was surprised by the lack of restrictions in residential areas being opened up to commercial exploitation. He thought restricting VRDs to only ten events a year would stop them from becoming more like motels. Tokos reminded that the current code capped VRDs to 5 bedrooms. Hardy suggested defining if VRDs were commercial use or residential use.

Berman was concerned there wasn't any code enforcement being done. Hanselman thought that occupancy should be closer to what the common occupancy was. Croteau felt that VRDs reduced the livability of residential neighborhoods. Hanselman said that he had personally called in enforcement issues and they were not recorded because he was told he had no standing. Croteau noted that there were no Fire, 911, Sheriff, and Community Service Officer reports given to

the PC. Berman said that owners were supposed to keep a log of every complaint they received and what the resolutions were, but there wasn't any access to the information. Michael Rickus (community member present) asked the PC what could be done with an abusive owner who continued to be noncompliant. Tokos said that the City needed to look at tightening the ordinances on the limited number of VRDs who were violating, but noted that it would be a challenge. Rickus asked how the City found VRDs that are unlicensed. Tokos said that the City did periodic sweeps to find unlicensed VRDs. Berman said it was hard to find what the addresses of VRDs on Airbnb were. Tokos noted that the recommendation letter to the City Council needed to be about the bigger picture and enforcement was another thing. Franklin felt if there wasn't more details on enforcement, the CC would lean toward a cap or moratorium on VRDs. Tokos said if the legislation changed, the CC would go back to the PC for solutions. Patrick thought a better mechanism for complaints was needed.

There was a question on how the VRDs were inspected. Tokos explained that the Building Official did an inspection once and the Fire Marshall inspected every year. He explained it could be an area to look at again. Hanselman asked if they considered a certificate of occupancy for VRDs. Tokos explained that every building got one certificate of occupancy in their life, unless there was a change of occupancy. Berman noted there were requirements for VRDs postings. Franklin felt there should be a 4-5 year cap on fire inspections. Tokos suggested the PC be careful to look at things on an equal footing as motels/hotels. There was a suggestion to have inspections required and the City be paid by the owner for them. Hanselman said this was common and VRDs would have to pay for the inspection each time. Croteau thought the PC needed to look at the big picture. He felt that even the VRDs that were in compliance were still creating problems. Tokos said protecting the character of neighborhoods was reason enough to open the conversation up. Croteau said complaints in the presentation was slanted and wanted it fair and balanced. Tokos noted that the safety of units had been improved and the requirement for the designated contact was a positive. He said it hadn't been a code issue but an issue on whether other codes needed to be added.

Meeting postponed at 6:55pm for the PC regular session meeting.

Meeting reconvened at 7:40pm.

**C. Draft Recommendation to City Council on Vacation Rental/B&B Next Steps (Continued).** Tokos continued reviewing the PowerPoint slide presentation with the PC. He noted that the PC might want to emphasize the designated contact information be more available. Tokos said the City's website could show VRD licenses along with all business licenses.

Safety standards were reviewed next. Berman asked what the Fire Department did before they started their inspections. Tokos explained that the Building Official just did an inspection and was checking all the same things as the Fire Department.

Tokos covered adjustments next. He thought the letter should include an interest in exploring ways to improve the standards. Tokos suggested not leaning too hard on anecdotal claims. Croteau said it shouldn't come over as too lenient. He reviewed page 88 from the last PC work session slide show that he felt covered what needed to be done. He read the list to the PC and also noted that the point of contact should be included in the list. Franklin thought there could be a link on the City's website to make a complaints. The person's contact information would be required so the City could follow through on enforcement. Hardy gave an example of a VRD owner who had fines levied against his property because of improper behavior as a vacation rental, without anything being done. She felt more definition of the processes needed to be done.

Franklin thought there needed to be more enforcement officer funds. He also thought that Airbnb needed to meet the City's requirements. Tokos said that VRDs and B&Bs had evolved and people wanted to stay in homes rather than motels. He noted the City was not adding motel rooms but were adding room taxes because of VRDs. Tokos cautioned that any ban had a level of enforcement. Croteau said that hotels were going down because VRDs were cheaper. Franklin noted a trend in Newport over the summer where people were making day trips to the coast instead of staying overnight. Branigan thought that the City should ask themselves if they wanted to be turned into a roads end. Patrick cautioned that he didn't want things to end up like South Shores and create dead neighborhoods.

Vanderbeck asked if VRD endorsements could be revoked. Berman said it was unenforceable. Franklin said the City needed to make it clear which properties the complaints were about in case they were the same property. Tokos cautioned to not make regulations based on the worst person. Branigan asked if VRDs were less affordable housing. Tokos said most VRDs weren't affordable housing. Franklin asked for a comparison of this to be shown to the CC.

Tokos said that most of the VRD complaints came from properties east of Highway 101 with the thought of overlay zones. Franklin was concerned about putting overlays on neighborhoods. Croteau said that R-1 and R-2 zones were never zoned for commercial. Hardy said this was why commercial and residential activities needed to be defined. She felt they could be Conditional Use permits. Hanselman thought it might be good to include it in the letter. Tokos thought that the recommendation letter should be more general without specifics. Franklin asked if there could be any enforcement with managers by saying that after a certain number of complaints, they wouldn't be allowed to have a contract with the particular VRD. Patrick felt there needed to be something without challenges such as "three strikes you are out." Hanselman thought the City needed to adopt something that helped neighboring property owners deal with VRDs with problems. Tokos said there weren't many. Hanselman asked what realtors would say about the VRD debate. Tokos said they would say to be careful with how the City goes forward as people are interested in having vacation homes. Croteau said there were a number of commercial conflicts of interest and it needed to be taken into consideration.

Tokos said he would draft the recommendation as a five year review including how the City did over the last five years. Croteau wanted the area of "desired outcomes" included in the recommendation. Tokos reviewed what the PC wanted included in the recommendation letter. The letter would be reviewed in the November 13<sup>th</sup> PC work session meeting then adopted in that night's regular session meeting. Patrick noted he wouldn't be in attendance at the December 11<sup>th</sup> meeting. Berman requested the Airbnb agreement review be included in the recommendation letter.

4. **Director's Comments.** No Director comments.
5. **Adjournment.** Having no further discussion, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Sherri Marineau,  
Executive Assistant

Wednesday, November 1, 2017

News-Times • Newport, OR

## SNAIL MAIL

# Lettered addresses strain post office

BY CHRIS EHRMANN  
Of the News-Times

**NEWPORT** — The post office is looking to make things easier for workers who deliver mail to businesses and residents within the city.

In an email to Derrick Tokos, Newport's community development director, the city's postmaster, Peter Roina, said he wanted to express his concerns with the city's address numbering system that does not require a secondary numerical address.

"Secondary addressing is difficult for our machines to read as it is, and alphabetically it's harder," Roina said. "What we are after is trying to make sure all suite numbers are numerically based and not alphabetical."

Roina states in the email that the United States Postal Service uses high speed machinery, called the Delivery Point Sequencing, to process packages, flats and letters, and for the most part secondary addresses do not affect packaging or flat processing. The machinery, however, cannot read alphabetical secondary addresses.

For example, if an apartment complex has units labeled with its main address but each apartment is labeled subsequently with letters of the alphabet, it makes it hard for the machine to read the address and process it.

Roina said that because of that issue, mail has to be physically sorted and processed by clerks by both the origination plant, the destination plant, the local office, as well as by the carrier who delivers it.

Roina said that numerical secondary addresses are read easily and allow for more streamlined processes for workers and the machines.



**Alphabetical secondary** addresses, like the ones seen here at a Newport apartment complex, complicate the Postal Service's efforts to get the mail out. If passed, a new city ordinance would make new addresses have numerical addresses instead of alphabetical ones. (Photo by Chris Ehrmann)

He said because of the added work, the overall expense of each mail piece and the likelihood of a sorting error down the line delay delivery of the mail.

Tokos said the City of Newport assigns the main addresses, but the secondary ones are left up to the property owners who can opt for numerical or alphabetical ones.

"It's a pretty small thing actually, the city of Newport assigns addresses to the property," he said, "but we don't assign what they call secondary addresses, we leave that to the owner of the property."

Although, Tokos said that with the feedback from the post office, they

are looking to draft an ordinance that will eventually have a public hearing, potentially during a Nov. 27 planning commission meeting, and then go to the city council. If an ordinance passes, it could be enacted early next year, possibly around February or March.

Additionally, Roina said that an ordinance would not force the change of all previous alphabetical addresses. Going forward, new ones would contain a numerical secondary address.

Contact reporter Chris Ehrmann at 541-265-8571 ext. 217 or [cehrmann@newportnewstimes.com](mailto:cehrmann@newportnewstimes.com)

## TWO FL CAR

OTIS — Oreg looking for any that happened 18 west of Van where two Lincoln fled the scene.

According to a report out by the Oregon State Police Kiera L. Haun a 2016 Nissan Altima westbound on the highway 6:00 a.m. on Tuesday.

The vehicle, being driven by passenger Joseph Ratcliff, went off the road and where it flipped into the river. The two significant damage to the Ratcliff were able to flee the scene. It was reported that Haun compound and may need medical attention. The third passenger in the vehicle City was transported to a hospital for minor injuries.

Anyone with information about the crash or the location are asked to contact police at 1-800-541-265-8571.

## MAN ARRESTED FOR TRESPASS

LINCOLN CITY — A man is facing one misdemeanor charge of alleged trespassing on the property of drugs.

Ruben Juan M. with allegedly to Lincoln City On the charge of drug possession, and was found guilty of heroin and methamphetamine. According to a press release, a criminal complaint filed with the Lincoln County Circuit Court, Lincoln City Officer Greg Hines was called by state troopers to investigate the traffic stop around 6:40 p.m. on Oct. 27.

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# **Planning Commission Regular Session Agenda Item Report**

Agenda Item No. 2016-1898

Submitted by: Sherri Marineau

Submitting Department: Community Development

Meeting Date: December 11, 2017

## **SUBJECT**

Advertisement for the Planning Commission's Vacation Rental AD-Hoc Advisory Committee

## **Recommendation:**

## **ATTACHMENTS**

- [Advertisement for Vacancies on VRD Ad-Hoc Comm.pdf](#)



FOR IMMEDIATE RELEASE

Contact: Peggy Hawker

541.574.0613

**CITY OF NEWPORT  
ANNOUNCES VACANCIES ON THE  
PLANNING COMMISSION'S  
VACATION RENTAL AD-HOC ADVISORY COMMITTEE**

The City of Newport is seeking applications from citizens interested in serving on an Ad-Hoc Advisory Committee to assist the Newport Planning Commission in developing a set of recommended revisions to the City of Newport's ordinance regulating vacation rental and B&B establishments. The Committee will be comprised of up to 11 members who either reside, own property, operate a business, or work within the Newport city limits.

It is anticipated that the Committee, supported by City staff, will meet twice a month between January and April of 2018 to review the City's existing vacation rental regulations, evaluate best management practices used by other jurisdictions that regulate vacation rentals, discuss policy options for revising the City's codes, and select preferred alternatives for presentation to the public. One or more public open houses will be held, between April and June of 2018 to solicit feedback on the preferred alternatives. The Committee will then be asked to reconvene to review the comments and discuss whether or not additional changes are needed. This may involve two or three additional meetings. The Committee's work is likely to wrap up in the late spring or early summer with a proposed package of amendments that will be provided to the Planning Commission for its consideration and recommendation to the Newport City Council.

Anyone interested in serving on this committee should apply using the city's committee application which is found on the city website at [www.newportoregon.gov](http://www.newportoregon.gov); click on "City;"

then on “Committees;” and then on “Application for Committee/Commission.” The completed form can be submitted electronically. Paper copies of the committee application form can also be obtained by contacting Peggy Hawker, at [p.hawker@newportoregon.gov](mailto:p.hawker@newportoregon.gov), or by telephone at 541.574.0613.

Committee appointments will be made by the Planning Commission at its January 8<sup>th</sup> meeting. Applications must be submitted to the City no later than 5:00 pm on Wednesday January 3, 2018.

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